

COMMONWEALTH of VIRGINIA

Board of Education Agenda



Date of Meeting: October 28, 2004

Time: As Shown

Location: Conference Rooms C & D, James Monroe State Office Building
101 North 14th Street, Richmond, Virginia

9:00 a.m. FULL BOARD CONVENES

Moment of Silence

Pledge of Allegiance

Approval of Minutes of the September 22, 2004, Meeting of the Board

Resolutions/Recognitions

- Recognition of Miss Anna Blackburn, Williamsburg, Recipient of the National Nathan Green Award for Outstanding Achievement
- Recognition of Virginia Naturally Exemplary Schools Program

Public Comment

Action/Discussion on Board of Education Regulations

- A. First Review of Notice of Intended Regulatory Action (NOIRA) to Promulgate Regulations Governing the Process for Submitting Proposals to Consolidate School Divisions (HB 978)
- B. Second Review of Emergency Regulations for Conducting Academic Reviews (8 VAC 20-700-10 et seq.)
- C. Final Review of Proposed Technical Revisions to the Regulations Governing Procedures for Adjusting Grievances of School Personnel (8 VAC 20-90-10 et seq.)

Action/Discussion Items

- D. First Review of Textbooks and Instructional Materials for State Adoption in Mathematics, English and Literature, and Foreign Language
- E. First Review of Additions to the Board-Approved List of Instructional Models/Programs that Include Instructional Methods to Satisfy Provisions in Regulations Establishing Accrediting Standards for Public Schools in Virginia

Action/Discussion Items (continued)

- F. First Review of Additions to the Board-Approved List of Supplemental Educational Services Providers Under the *No Child Left Behind Act of 2001*
- G. Final Review of Sanctions/Corrective Actions for School Divisions in Improvement, as required by the *No Child Left Behind Act of 2001*
- H. First Review of Pupil Transportation Specifications for School Buses
- I. First Review of an Advisory Board on Teacher Education and Licensure (ABTEL) Recommendation Supporting a Proposed Cut-Score for the School Leaders Licensure Assessment (SLLA)
- J. First Review of Nominations for Appointments to the State Special Education Advisory Committee
- K. Final Review of Response to a Recommendation from the 2003 Student Advisory Committee Regarding Student Diversity
- L. First Review of Nominations for Reappointment to the Virginia Advisory Committee for Career and Technical Education
- M. First Review of the Annual Report for State-Funded Remedial Programs
- N. First Review of the Board of Education's 2004 Annual Report on the Condition and Needs of the Public Schools in Virginia
- O. First Review of the 2004 Annual Report on Regional Alternative Education Programs
- P. First Review of the 2004 Annual Report on Public Charter Schools in Virginia

Reports

- Q. Final Report of the Joint Committee of the Board of Education and Board of Health to Study the Feasibility of Developing a Curriculum for Nutrition and Exercise for K-12

DISCUSSION OF CURRENT ISSUES - by Board of Education Members and Superintendent of Public Instruction

EXECUTIVE SESSION

ADJOURNMENT

PUBLIC NOTICE

The Board of Education members will meet for dinner at 6:30 p.m. at the Crowne Plaza Hotel on Wednesday, October 27, 2004. Items for the Board agenda may be discussed informally at that dinner. No votes will be taken, and it is open to the public. The Board president reserves the right to change the times listed on this agenda depending upon the time constraints during the meeting.

GUIDELINES FOR PUBLIC COMMENT

1. The Board of Education is pleased to receive public comment at each of its regular monthly meetings. In order to allow the Board sufficient time for its other business, the total time allotted to public comment will generally be limited to thirty (30) minutes. Individuals seeking to speak to the Board will be allotted three (3) minutes each.
2. Those wishing to speak to the Board should contact Dr. Margaret Roberts, Executive Assistant for Board Relations at (804) 225-2924. Normally, speakers will be scheduled in the order that their requests are received until the entire allotted time slot has been used. Where issues involving a variety of views are presented before the Board, the Board reserves the right to allocate the time available so as to insure that the Board hears from different points of view on any particular issue.
3. Speakers are urged to contact Dr. Roberts in advance of the meeting. Because of time limitations, those persons who have not previously registered to speak prior to the day of the Board meeting cannot be assured that they will have an opportunity to appear before the Board.
4. In order to make the limited time available most effective, speakers are urged to provide multiple written copies of their comments or other material amplifying their views.

Board of Education Agenda Item

Item: _____ A. _____

Date: Octoberber 28, 2004

Topic: First Review of Notice of Intended Regulatory Action (NOIRA) to Promulgate Regulations Governing the Process for Submitting Proposals to Consolidate School Divisions (HB 978)

Presenter: Mrs. Anne Wescott, Assistant Superintendent for Policy and Communications

Telephone: 804/225-2403

E-mail: awescott@mail.vak12ed.edu

Origin:

____ Topic presented for information only (no board action required)

X Board review required by

X State or federal law or regulation

____ Board of Education regulation

____ Other: Board of Education By-laws

____ Action requested at this meeting

X Action requested at future meeting: First review of the proposed regulations will be followed by the final adoption according to the requirements of the Administrative Process Act.

Previous Review/Action:

____ No previous board review/action

____ Previous review/action

date:

action:

Background Information: Chapter 917, 2004 Acts of Assembly, directs the state Board of Education to promulgate regulations providing for a process where school divisions may submit proposals for consolidation. A new regulation must be promulgated to comply with the terms of Chapter 917. HB 978 amended § 22.1-25 of the Code to add the following language:

Consistent with its authority pursuant to Article VIII, Section 5 of the Constitution of Virginia to designate school divisions in the Commonwealth of such geographic size and school-age population as will best promote the realization of the standards of quality, the Board shall promulgate regulations

consistent with the provisions of this section that provide for a process whereby school divisions may submit proposals for the consolidation of school divisions. Such regulations shall provide for, among other things, a public notice and hearing process to be conducted by the applicant school divisions.

School divisions submitting proposals for consolidation shall include such information and data as may be required by the Board, including (i) the criteria set forth in subsection C; (ii) evidence of the cost savings to be realized by such consolidation; (iii) a plan for the transfer of title to school board property to the resulting combined school board governing the consolidated division; (iv) procedures and a schedule for the proposed consolidation, including completion of current division superintendent and school board member terms; (v) a plan for proportional school board representation of the localities comprising the new school division, including details regarding the appointment or election processes currently ensuring such representation and other information as may be necessary to evidence compliance with federal and state laws governing voting rights; and (vi) evidence of local support for the proposed consolidation.

For five years following completion of such consolidation, the computation of the state and local share for an educational program meeting the standards of quality for school divisions resulting from consolidations approved pursuant to this subsection shall be the lower composite index of local ability-to-pay of the applicant school divisions, as provided in the appropriation act.

Summary of Major Elements: Title 22.1-25, *Code of Virginia*, states that the state Board of Education shall promulgate regulations that provide for a process whereby school division may submit proposals for the consolidation of such school divisions. The mandate to promulgate regulations is the result of actions taken by the 2004 General Assembly, as reflected in Chapter 917, 2004 Acts of Assembly.

The proposed regulations must include a public notice and hearing process that would be conducted by the applicant school division.

Consolidation proposals must include the following information:

- The school-age population of the division proposed for consolidation.
- The potential of the proposed school division to offer a K-12 program at the levels of the established standards of quality.
- The potential of the proposed school division to promote efficiency in operations.
- Anticipated increases or decreases in the number of school-age children in the proposed school division.
- Evidence of cost savings from consolidation.
- A plan for the transfer of title to school board property to a resulting combined school board.

- Procedures and a schedule for the consolidation.
- A plan for proportional school board representation.
- Evidence of local support for the proposed consolidation.

The proposed regulations will ensure that all consolidation proposals benefit the school-age population.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education waive first review and authorize the Department of Education staff to proceed with the requirements of the Administrative Process Act regarding the Notice of Intended Regulatory Action for promulgating regulations.

Impact on Resources: N/A

Timetable for Further Review/Action: The NOIRA process calls for an initial 30-day public comment time. Following the comment period, proposed regulations will be developed and presented to the Board of Education for first review.



Notice of Intended Regulatory Action (NOIRA) Agency Background Document

Agency name	Department of Education
Virginia Administrative Code (VAC) citation	VAC -
Regulation title	Regulations Governing the Process for Submitting Proposals to Consolidate School Divisions
Action title	Submission of proposals for the consolidation of school divisions. This is new regulation resulting from the enactment of Chapter 917, 2004 Acts of Assembly.
Document preparation date	October 15, 2004

This information is required for executive review (www.townhall.state.va.us/dpbpages/apaintro.htm#execreview) and the Virginia Registrar of Regulations (legis.state.va.us/codecomm/register/regindex.htm), pursuant to the Virginia Administrative Process Act (www.townhall.state.va.us/dpbpages/dpb_apr.htm), Executive Orders 21 (2002) and 58 (1999) (www.governor.state.va.us/Press_Policy/Executive_Orders/EOHome.html), and the *Virginia Register Form, Style, and Procedure Manual* (http://legis.state.va.us/codecomm/register/download/styl8_95.rtf).

Purpose

Please describe the subject matter and intent of the planned regulatory action. Also include a brief explanation of the need for and the goals of the new or amended regulation.

Chapter 917, 2004 Acts of Assembly, directs the state Board of Education to promulgate regulations providing for a process where school divisions may submit proposal for consolidation. A new regulation must be promulgated to comply with the terms of Chapter 917.

Legal basis

Please identify the state and/or federal source of legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly bill and chapter numbers, if applicable, and (2) promulgating entity, i.e., the agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.

Title 22.1-25, *Code of Virginia*, states that the state Board of Education shall promulgate regulations that provide for a process whereby school division may submit proposals for the consolidation of such school

divisions. The mandate to promulgate regulations is the result of actions taken by the 2004 General Assembly, as reflected in Chapter 917, 2004 Acts of Assembly.

Substance

Please detail any changes that will be proposed. For new regulations, include a summary of the proposed regulatory action. Where provisions of an existing regulation are being amended, explain how the existing regulation will be changed. Include the specific reasons why the regulation is essential to protect the health, safety, or welfare of citizens. Delineate any potential issues that may need to be addressed as the regulation is developed.

The proposed regulations must include a public notice and hearing process that would be conducted by the applicant school division.

Consolidation proposals must include the following information:

- The school-age population of the division proposed for consolidation.
- The potential of the proposed school division to offer a K-12 program at the levels of the established standards of quality.
- The potential of the proposed school division to promote efficiency in operations.
- Anticipated increases or decreases in the number of school-age children in the proposed school division.
- Evidence of cost savings from consolidation.
- A plan for the transfer of title to school board property to a resulting combined school board.
- Procedures and a schedule for the consolidation.
- A plan for proportional school board representation.
- Evidence of local support for the proposed consolidation.

The proposed regulations will ensure that all consolidation proposals benefit the school-age population.

Please describe all viable alternatives to the proposed regulatory action that have been or will be considered to meet the essential purpose of the action.

The need to promulgate new regulations for the consolidation of school divisions is mandated in the *Code of Virginia*. Therefore, no alternative exists to the proposed regulatory action.

Family impact

Assess the potential impact of the proposed regulatory action on the institution of the family and family stability.

This regulation would not negatively affect families. School division consolidations would only be undertaken if it could be demonstrated that such consolidations benefited the school-age population.

Board of Education Agenda Item

Item: B.

Date: October 28, 2004

Topic: Second Review of Emergency Regulations for Conducting Division-Level Academic Reviews

Presenter: Ms. Anne D. Wescott, Assistant Superintendent for Policy and Communications

Telephone Number: 804-225-2403

E-Mail Address: anne.wesctoo@doe.virginia.gov

Origin:

 Topic presented for information only (no board action required)

 X Board review required by
 X State or federal law or regulation
 Board of Education regulation
 Other:

 X Action requested at this meeting Action requested at future meeting:
(date)

Previous Review/Action:

 No previous board review/action

 X Previous review/action
date September 22, 2004
action The Board of Education approved the proposed regulations for first review.

Background Information:

The Regulations Establishing Standards for Accrediting Public Schools in Virginia in 8 VAC 20-131-300.C.4. require a school to be "Accredited with Warning (in specified academic area or areas)" if its pass rate on any SOL test does not meet required benchmarks to qualify for any other accreditation rating. Any school rated Accredited with Warning must undergo an academic review in accordance with guidelines adopted by the Board of Education in accordance with 8 VAC 20-131-340.A of the regulations. It is the responsibility of the Department of Education to develop this academic review process for approval of the Board of Education.

On July 23, 2003, the Board of Education approved revisions to the school-level academic review process to be used during the 2003-2004 school year. As part of these revisions, the Board discussed the development of an academic review process to be used at the central office level for school divisions having a significant number or percentage of schools or types of schools rated accredited with warning.

On April 28, 2004 the Board of Education approved the process by which division-level academic reviews are to be conducted. On June 23, 2004 the Board of Education approved the criteria by which school divisions will be selected for division-level academic reviews. On September 22, 2004 the Board of Education approved the emergency regulations for first review. The Attorney General's Office subsequently made further suggestions and comments, and these proposed revisions reflect discussions with the Attorney General's Office.

Summary of Major Elements

House Bill 1294, passed by the General Assembly and signed into law on April 15, 2004, gave the Board of Education the authority to require division-level academic reviews in school divisions where findings of school-level Academic Reviews show that the failure of the schools to reach full accreditation is related to the local school board's failure to meet its responsibilities under the *Standards of Quality*. House Bill 1294 also requires, in part:

“That the Board of Education shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.”

Emergency regulations are needed to ensure that the conducting of Division-Level Academic Reviews begins as close to the beginning of the 2004-2005 school year as is practicable. Proposed emergency regulations to meet these requirements are attached.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board waive first review and approve the attached emergency regulations for conducting division-level academic reviews and authorize staff of the Department of Education to proceed with the remaining steps required by the Administrative Process Act.

Impact on Resources: Funds for academic reviews have been approved for the 2004-2006 biennium to conduct these activities.

Timetable for Further Review/Action: The Department of Education will notify local school divisions of the changes in the regulations when final approval is granted through the Administrative Process Act.

Board of Education

8VAC20-700-10

EMERGENCY REGULATIONS GOVERNING DIVISION-LEVEL ACADEMIC REVIEWS

8VAC20-700-10. Definitions.

The following words and terms, when used in this regulation, shall have the following meaning unless the context clearly indicates otherwise:

“Board” means the Virginia Board of Education.

“Department” means the Virginia Department of Education.

“Division-level Academic Review” means the process used to analyze a school division’s systems and practices to determine the degree to which the local school board is meeting its responsibilities under the Standards of Quality.

“External review” means a school division-level academic review conducted by an organization or agency at the request of a local school board.

8VAC20-700-20. Criteria for Selection for Review.

The Board of Education shall consider the following criteria in selecting school divisions for division-level academic reviews.

1. The school division’s accountability determination (improvement status) for student achievement, as required in federal law.
2. The percentage of students attending schools accredited with warning in the division exceeds the statewide average.
3. School academic review findings in the division report the failure of the - division’s schools to reach full accreditation is related to the school board’s noncompliance with the Standards of Quality.

8VAC20-700-30. Structure of the Review.

A. All division-level academic reviews shall be conducted in accordance with procedures adopted by the Board. These procedures may include, but are not limited to:

1. Initial visits, onsite-reviews, and follow-up visits made by an academic review team selected by the Department.

Board of Education

8VAC20-700-10

**EMERGENCY REGULATIONS GOVERNING DIVISION-LEVEL ACADEMIC
REVIEWS**

2. Academic review teams will hold introductory meetings with local school boards, conduct interviews, review documents and self-studies and observe operational practices.
 3. Teams will collect and analyze data related to compliance with the Standards of Quality, related Board regulations, and federal program requirements, and use these data to prepare reports to the Board.
 4. Reports of academic review findings shall be given to the division superintendent, chair of the local school board and to the Board of Education.
- B. The Board may authorize the Department of Education to contract for the provision of services to assist in performing division-level academic reviews.

8VAC20-700-40. Division Improvement Plans and Corrective Actions.

- A. School divisions shall develop division improvement plans, including corrective actions for increasing student achievement and correcting any areas of noncompliance determined through the division-level academic review. These plans shall be approved by the local school board and submitted to the Board of Education for approval within 60 business days of the issuance of the division-level academic review report. Upon Board approval, the division improvement plan and corrective actions shall become part of the division's plan required in the Standards of Quality.
- B. The division superintendent and chair of the local school board may request an extension of the due date for the division improvement plan and corrective actions for good cause shown by appearing before the Board of Education to explain the rationale for the request and provide evidence that a delay will not have an adverse impact upon student achievement.
- C. The Board of Education shall monitor the implementation of the division improvement plan and corrective actions developed by a school division as part of the division-level academic review process. This plan must include a schedule for reporting the school division's progress toward completion of the corrective actions to the Board. Any school division not implementing corrective actions, not correcting areas of noncompliance, or failing to develop, submit, and implement required plans and status reports shall be required to report its lack of action directly to the Board of Education.
- D. Areas of noncompliance that remain uncorrected shall be reported in the Board of Education's Annual Report to the Governor and General Assembly on the Condition and Needs of Public

Board of Education

8VAC20-700-10

**EMERGENCY REGULATIONS GOVERNING DIVISION-LEVEL ACADEMIC
REVIEWS**

Schools in Virginia. The Board may take additional action as permitted by the Standards of Quality.

8VAC20-700-50. External Reviews.

- A. The Board may accept a school division-level review conducted by an organization or agency upon the request of a local school board if the review meets or exceeds the requirements for reviews conducted by the Department as prescribed in 8VAC20-700-30. Agencies that conduct these reviews must employ individuals whose qualifications meet or exceed those of individuals who serve as Department representatives for the purpose of conducting academic reviews. The Board shall monitor the implementation of any required corrective actions developed by the school division as prescribed in 8VAC20-700-40.
- B. Requests for approval of an external review process submitted to the Board must include, at a minimum, the following documentation:
1. A description of the organization or agency that will conduct the review;
 2. The scope and dates of the review;
 3. Qualifications of the individuals who will conduct the review;
 4. Certification from the chairman of the local school board and division superintendent that the review will meet or exceed the requirements for academic reviews adopted by the Board.

Upon completion of the external review process, the division superintendent shall submit a copy of the final report provided by the reviewer to the Department of Education, and comply with the required follow-up activities in accordance with 8VAC20-700-40.



Virginia
Regulatory
Town Hall

Emergency Regulation Agency Background Document

Agency Name:	Board (Department) of Education
VAC Chapter Number:	8 VAC 20-700-10 et seq.
Regulation Title:	Emergency Regulations for Conducting Division-Level Academic Reviews
Action Title:	Division-Level Academic Reviews
Date:	October 28, 2004

Section 9-6.14:4.1(C)(5) of the Administrative Process Act allows for the adoption of emergency regulations. Please refer to the APA, Executive Order Twenty-Four (98), and the *Virginia Register Form, Style and Procedure Manual* for more information and other materials required to be submitted in the emergency regulation submission package.

Emergency Preamble

Please provide a statement that the emergency regulation is necessary and provide detail of the nature of the emergency. Section 9-6.14:4.1(C)(5) of the Administrative Process Act states that an "emergency situation" means: (i) a situation involving an imminent threat to public health or safety; or (ii) a situation in which Virginia statutory law, the Virginia appropriation act, or federal law requires that a regulation shall be effective in 280 days or less from its enactment, or in which federal regulation requires a regulation to take effect no later than 280 days from its effective date. The statement should also identify that the regulation is not otherwise exempt under the provisions of § 9-6.14:4.1(C)(4).

Please include a brief summary of the emergency action. There is no need to state each provision or amendment.

House Bill 1294, passed by the General Assembly and signed into law on April 15, 2004, gave the Board of Education the authority to require division-level academic reviews in school divisions where findings of school-level Academic Reviews show that the failure of the schools to reach full accreditation is related to the local school board's failure to meet its responsibilities under the *Standards of Quality*. House Bill 1294 also requires, in part:

“That the Board of Education shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.”

Emergency regulations are needed to ensure that the conducting of Division-Level Academic Reviews begins as close to the beginning of the 2004-2005 school year as is practicable. Proposed emergency regulations to meet these requirements are attached.

Basis

Please identify the state and/or federal source of legal authority to promulgate the emergency regulation. The discussion of this emergency statutory authority should: 1) describe its scope; and 2) include a brief statement relating the content of the statutory authority to the specific regulation. Full citations of legal authority and web site addresses, if available for locating the text of the cited authority, should be provided.

Please provide a statement that the Office of the Attorney General has certified that the agency has the statutory authority to promulgate the emergency regulation and that it comports with applicable state and/or federal law.

§ 22.1-16 of the *Code of Virginia* states, “The Board of Education may adopt bylaws for its own government and promulgate such regulations as may be necessary to carry out its powers and duties and the provisions of this title.”

HB1294 enacted by the 2004 General Assembly amended ' 22.1-253.13:3 of the Code to include the following provision: “When the Board of Education has obtained evidence through the school academic review process that the failure of schools within a division to achieve full accreditation status is related to division level failure to implement the Standards of Quality, the Board may require a division level academic review. After the conduct of such review and within the time specified by the Board of Education, each school board shall submit for approval by the Board a corrective action plan, consistent with criteria established by the Board and setting forth specific actions and a schedule designed to ensure that schools within its school achieve full accreditation status. Such corrective action plans shall be part of the relevant school division's six-year improvement plan pursuant to § [22.1-253.13:6](#). The legislation also required the Board to promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.”

Substance

Please detail any changes, other than strictly editorial changes, that would be implemented. Please outline new substantive provisions, all substantive changes to existing sections, or both where appropriate. Please provide a cross-walk which includes citations to the specific sections of an existing regulation being amended and explain the consequences of the proposed changes. The statement should set forth the specific reasons the agency has determined that the proposed regulatory action would be essential to protect the health, safety or welfare of Virginians. The statement should also delineate any potential issues that may need to be addressed as a permanent final regulation is developed.

The emergency regulation is new. It is essential to protect the welfare of Virginians because provides the structure for the Board of Education and staff of the Department of Education for the orderly conduct of division-level academic reviews in selected school divisions. In addition, it defines some flexibility for options to reviews to be conducted by agencies or organizations other than the Department of Education when appropriate. At the present time, no potential issues to be addressed as a permanent final regulation have been identified.

Alternatives

Please describe the specific alternatives that were considered and the rationale used by the agency to select the least burdensome or intrusive method to meet the essential purpose of the action.

The agency considered more extensive regulations but elected to develop the minimum requirements necessary for the Board of Education and Department of Education to carry out the responsibilities mandated by the General Assembly.

Family Impact Statement

Please provide a preliminary analysis of the potential impact of the emergency action on the institution of the family and family stability including to what extent the action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The emergency action will serve to improve the quality of educational opportunities of the children in the commonwealth in school divisions where academic reviews are conducted but it will not: 1) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 2) strengthen or erode the marital commitment; or 3) increase or decrease disposable family income.

Board of Education Agenda Item

Item: _____ C. _____

Date: October 28, 2004

Topic: Final Review of Proposed Technical Revisions to the Regulations Governing Procedures for Adjusting Grievances of School Personnel (8 VAC 20-660-10 et seq.)

Presenter: Dr. Thomas A. Elliott, Assistant Superintendent for Teacher Education and Licensure

Telephone Number: (804) 371-2522

E-Mail Address: telliott@pen.k12.va.us

Origin:

_____ Topic presented for information only (no board action required)

X Board review required by
 X State or federal law or regulation
 _____ Board of Education regulation
 _____ Other: _____

X Action requested at this meeting _____ Action requested at future meeting: _____(date)

Previous Review/Action:

_____ No previous board review/action

_____ Previous review/action
 date _____
 action _____

Background Information:

The Virginia Board of Education regulations, the Procedure for Adjusting Grievances (8 VAC 20-90-10 et seq.) have been reviewed. Based on this review, revisions are needed to align the regulations with changes in the Code of Virginia. All revisions, except for a few citation references, are exact language changes from the Code.

The Administrative Process Act (Section 2.2-4006 of the Code of Virginia) exempts changes to regulations that are necessary to conform to changes in Virginia statutory law where no agency discretion is involved from its requirements.

Summary of Major Elements

The revised Procedure for Adjusting Grievances is attached. New language is underlined and deleted language is noted with strikeouts. Also attached is a chart highlighting the revisions and the Code reference for each change.

The changes were made to align the regulations with the Code of Virginia; therefore, the regulations should be exempted from the public participation process of the Administrative Process Act. Upon approval of the regulations by the Board of Education, the Department of Education will request that the regulations be published in the *Virginia Register of Regulations* in final form.

The Code of Virginia requires that the Board of Education prescribe forms used in the grievance procedure. The forms are not incorporated in the regulations; however, the “Notification: Notice of Proposed Dismissal or Proposed Placing on Probation” form needs revision requiring approval by the board.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education accept the proposed Regulations Governing Procedures for Adjusting Grievances of School Personnel for final review.

Impact on Resources: The amendment of the regulation as proposed is not expected to have a fiscal and administrative impact on school divisions or on the Department of Education.

Timetable for Further Review/Action:

Following the final approval of the proposed amendment of the regulation by the board, the regulation will be submitted to the Attorney General for authorization. Following receipt of the authorization, it will be submitted to the Registrar's Office for publication.

REVISIONS TO THE PROCEDURE FOR ADJUSTING GRIEVANCES

8 VAC 20-90-10 et seq.

Revisions in the Procedure for Adjusting Grievances	Rationale for Revision
<p>8 VAC 20-90-10 et seq. The term “working day” was replaced with “business day” throughout the regulations to comport with the language of the Code.</p>	<p>Exact language change From the <u>Code of Virginia</u> § 22.1-312, N.</p>
<p>8 VAC 20-90-30, B The principal may forward to the teacher within five days from the receipt of the written grievance a written request for more specific information regarding the grievance. The teacher shall file an answer to that <u>thereto</u> within 10 working <u>business</u> days, and the meeting must then be held within five <u>business</u> days after that <u>thereafter</u>.</p>	<p>Editorial Revision (no substantive change)</p>
<p>8 VAC 20-90-30, D, 2 Selection of Impartial Third Member. In the event that both panel members are unable to agree upon a third panel member within five working <u>business</u> days, both members of the panel shall request the chief judge of the circuit court having jurisdiction of the school division to furnish a list of five qualified and impartial individuals from which one individual shall be selected by the two members of the panel to serve as the third member. The individuals named by the chief judge may reside either within or outside the jurisdiction of the circuit court, be residents of the Commonwealth of Virginia, and <u>in all cases shall</u> possess some knowledge and expertise in public education and education law and shall be deemed by the judge to be capable of presiding over an administrative hearing. Within five <u>business</u> days after receipt by the two panel members of the list of fact finders nominated by the chief judge, the panel members shall meet to select the third panel member. Selection shall be made by alternately deleting names from the list until only one remains. The panel member selected by the teacher shall make the first deletion. The third impartial panel member shall chair the panel. No elected official shall serve as a panel member. <u>Panel members shall not be parties to, or witnesses to, the matter grieved. With the agreement of the teacher's and division superintendent's panel members, the impartial panel member shall have the authority to conduct the hearing and make recommendations as set forth herein while acting as a hearing officer.</u></p> <p><u>The Attorney General shall represent personally or through one of his assistants any third impartial panel member who shall be made a defendant in any civil action arising out of any matter connected with his duties as a panel member. If, in the opinion of the Attorney General, it is impracticable or uneconomical for such legal representation to be rendered by him or one of his assistants, he may employ special counsel for this purpose, whose compensation shall be fixed by the Attorney General and be paid out of the funds appropriated for the administration of the Department of Education.</u></p>	<p>Exact language change From the <u>Code of Virginia</u> § 22.1-312, A.</p>

<p>8 VAC 20-90-30, D, 3 3. Holding of Hearing. The hearing shall be held by the panel within 30 calendar business days from the date of selection of the final panel member. The panel shall set the date, place, and time for the hearing and shall so notify the division superintendent and the teacher. The teacher and the division superintendent each may have present at the hearing and be represented at all stages by a representative or legal counsel.</p>	<p>Exact language change From the <u>Code of Virginia</u> §22.1-308,4 § 22.1-312, A.</p>
<p>8 VAC 20-90-30, D, 4, b & c b. The panel may ask, <u>at the beginning of the hearing</u>, for statements from the division superintendent and the teacher clarifying the issues involved. at the beginning of the hearing and at the discretion of the panel may allow closing statements. c. The parties shall then present their claims in and evidence. Witnesses may be questioned by the panel members, or by the teacher and the division superintendent. or their representative. The panel <u>may, in at its discretion, may</u> vary this procedure, but shall afford full <u>and</u> equal opportunity for to all parties to present any material or relevant evidence and shall afford the parties the right of cross-examination.</p>	<p>Exact language change From the <u>Code of Virginia</u> § 22.1-312, D.</p>
<p>8 VAC 20-90-30, D, 4, d d. The parties shall produce such additional evidence as the panel may deem necessary to an understanding and determination of the dispute. The panel may <u>shall</u> be the judge of the relevancy and materiality of the evidence offered. All evidence shall be taken in the presence of the panel and of the parties</p>	<p>Exact language change From the <u>Code of Virginia</u> § 22.1-312, D.</p>
<p>8 VAC 20-90-30, D, 4, f&g f. The finding of facts <u>facts found</u> and recommendations <u>made</u> by the panel shall be based exclusively upon the evidence presented at the hearing and the panel's recommendations shall be arrived at by a majority vote of the panel members. g. On its own motion or upon application of the teacher or division superintendent, t The hearing may be reopened by the panel, <u>on its own motion or upon application of the teacher or the division superintendent</u> for good cause shown, at any time to hear after-discovered evidence at any time before its final report is delivered <u>the panel's report is made.</u></p>	<p>Exact language change From the <u>Code of Virginia</u> § 22.1-312, F. Exact language change From the <u>Code of Virginia</u> § 22.1-312, G.</p>
<p>8 VAC 20-90-30, D, 4, h. The panel shall make a written report that shall include its findings of fact and recommendations and shall file it with the members of the school board, the division superintendent, and the teacher, not later than 30 <u>business</u> days after the completion of the hearing.</p>	<p>Exact language change From the <u>Code of Virginia</u> § 22.1-312, H.</p>

<p>8 VAC 20-90-30, D, 4, i & j</p> <p>i. A stenographic record or tape recording <u>of the proceedings</u> shall be taken of the proceedings. <u>However, in proceedings concerning grievances not related to dismissal or probation</u>, the recording may be dispensed with entirely by mutual consent of the parties. <u>In such proceedings</u>, if the recording is not dispensed with, the two parties shall share equally the cost of the recording. If either party requests a transcript, that party shall bear the expense involved in preparing it of its preparation.</p> <p><u>In cases of dismissal or probation, a record or recording of the proceedings shall be made and preserved for a period of six months. If either the teacher or the school board requests that a transcript of the record or recording be made at any time prior to expiration of the six-month period, it shall be made and copies shall be furnished to both parties. The school board shall bear the expense of the recording and the transcription.</u></p> <p>j. <u>The recommendations and findings of fact of the panel submitted to the school board shall be based exclusively upon the evidence presented to the panel at the hearing. No panel member shall conduct an independent investigation involving the matter grieved.</u></p>	<p>Exact language change From the <u>Code of Virginia</u> § 22.1-312, I.</p> <p>Exact language change From the <u>Code of Virginia</u> § 22.1-312, L.</p>
<p>8 VAC 20-90-30, D, 5, a</p> <p>a. The teacher shall bear his <u>or her</u> own expenses. The school board shall bear the expenses of the division superintendent. The expenses of the panel shall be borne one half by the school board and one half by the teacher.</p>	<p>Exact language change From the <u>Code of Virginia</u> § 22.1-312, J.</p>
<p>8 VAC 20-90-30, E, 2</p> <p>2. In the case of a hearing before a fact-finding panel, the school board shall give the grievant its written decision within 30 days after the school board receives both the transcript of such hearing, if any, and the panel's finding of fact and recommendations unless the school board proceeds to a hearing under §2.2 <u>Subsection E.3 Subdivision E.3. of this section</u>. The decision of the school board shall be reached after considering the transcript, if any; the findings of fact and recommendations of the panel; and such further evidence as the school board may receive at any further hearing that the school board elects to conduct.</p>	<p>Editorial Revision To locate referenced citation (no substantive change)</p>
<p>8 VAC 20-90-30, E, 3, a</p> <p>3. In any case in which a hearing before a fact-finding panel is held in accordance with Step 4, the local school board may conduct a further hearing before such school board.</p> <p>a. The local school board shall initiate such hearing by sending written notice of its intention to the teacher and the division superintendent within 10 <u>business</u> days after receipt by the board of the findings of fact and recommendations of the fact-finding panel and any transcript of the panel hearing. Such notice shall be provided upon forms to be prescribed by the Board of Education and shall specify each matter to be inquired into by the school board.</p>	<p>Exact language change From the <u>Code of Virginia</u> § 22.1-313, D.</p>

<p>8 VAC 20-90-30, E, 3, c A stenographic record or tape recording of the proceedings shall be taken. However, <u>in proceedings concerning grievances not related to dismissal or Probation</u>, the recording may be dispensed with entirely by mutual consent of the parties. <u>In such proceedings, if the recording is not dispensed with</u>, the two parties shall share the cost of the recording equally; if either party requests a transcript, that party shall bear the expense of its preparation.</p> <p><u>In the case of dismissal or probation, a record or recording of the proceedings shall be made and preserved for a period of six months. If either the teacher or the school board requests that a transcript of the record or recording be made at any time prior to expiration of the six-month period, it shall be made and copies shall be furnished to both parties. The school board shall bear the expense of the recording and the transcription.</u></p>	<p>Exact language change From the <u>Code of Virginia</u> § 22.1-312, I.</p>
<p>8 VAC 20-90-40, A A. Initial Determination of Grievability. Decisions regarding whether a matter is grievable shall be made by the school board at the request of the division superintendent or grievant. The school board shall reach its decision only after allowing the division superintendent and the grievant opportunity to present written or oral arguments regarding grievability. The decision as to whether the arguments shall be written or oral shall be in the discretion of the school board. Decisions shall be made within 10 <u>business</u> days of such request. Such determination of grievability shall be made subsequent to the reduction of the grievance to writing but prior to any panel or board hearing or the right to such determination shall be deemed to have been waived. Failure of the school board to make such a determination within such a prescribed 10-<u>business</u> day period shall</p>	<p>Exact language change From the <u>Code of Virginia</u> § 22.1-314</p>
<p>8 VAC 20-90-40, B, 1, a, b, & c a. Proceedings for a review of the decision of the school board shall be instituted by filing a notice of appeal with the school board within 10 <u>business</u> days after the date of the decision and giving a copy thereof to all other parties.</p> <p>b. Within 10 <u>business</u> days thereafter, the school board shall transmit to the clerk of the court to which the appeal is taken a copy of its decision, a copy of the notice of appeal and the exhibits. The failure of the school board to transmit the record within the time allowed shall not prejudice the rights of the grievant. The court, on motion of the grievant, may issue a writ of certiorari requiring the school board to transmit the record on or before a certain date.</p> <p>c. Within 10 <u>business</u> days of receipt by the clerk of such record, the court, sitting without a jury, shall hear the appeal on the record transmitted by the school board and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The court, in its discretion, may receive such other evidence as the ends of justice require.</p>	<p>Exact language change From the <u>Code of Virginia</u> § 22.1-314</p>

<p>8 VAC 20-90-70, A, 3</p> <p>3. At the request of the teacher, the superintendent shall provide the reasons for the recommendation in writing or, if the teacher prefers, in a personal interview. In the event a teacher requests a hearing pursuant to §22.1-311 or §22.1-312, the division superintendent shall provide, within 10 days of the request, the teacher or his representative with the opportunity to inspect and copy his personnel file and all other documents relied upon in reaching the decision to recommend dismissal or probation. Within 10 days of the request of the division superintendent, the teacher or his representative shall provide the division superintendent with the opportunity to inspect and copy the documents to be offered in rebuttal to the decision to recommend dismissal or probation. <u>The division superintendent and the teacher or his representative shall be under a continuing duty to disclose and produce any additional documents identified later which may be used in the respective parties' cases-in-chief.</u> The cost of copying such documents shall be paid by the requesting party.</p>	<p>Exact language change From the <u>Code of Virginia</u> § 22.1-309</p>
<p>8 VAC 20-90-70, B</p> <p>B. Fact-Finding Panel. Within 15 days after the teacher receives the notice referred to in §3.1 Subsection A.1. Subdivision A1 of this section, either the teacher or the school board, by written notice to the other party upon a form to be prescribed by the Board of Education, may elect to have a hearing before a fact-finding panel prior to any decision by the school board.</p>	<p>Editorial Revision To locate referenced citation (no substantive change)</p>
<p>8 VAC 20-90-70, B, 2</p> <p>1. Selection of Impartial Third Member. In the event that both panel members are unable to agree upon a third panel member within five working <u>business</u> days, both members of the panel shall request the chief judge of the circuit court having jurisdiction of the school division to furnish a list of five qualified and impartial individuals from which list one individual shall be selected by the two members of the panel as the third member. The individuals named by the chief judge may reside either within or without the jurisdiction of the circuit court, be residents of the Commonwealth of Virginia, and in all cases shall possess some knowledge and expertise in public education and education law and shall be deemed by the judge capable of presiding over an administrative hearing. Within five <u>business</u> days after receipt by the two panel members of the list of fact finders nominated by the chief judge, the panel members shall meet to select the third panel member. Selection shall be made by the panel members, alternately deleting names from the list until only one remains with the panel member selected by the teacher to make the first deletion. The third impartial panel member shall chair the panel. No elected official shall serve as a panel member. <u>Panel members shall not be parties to, or witnesses to, the matter grieved. With the agreement of the teacher's and division superintendent's panel members, the impartial panel member shall have the authority to conduct the hearing and make recommendations as set forth herein while acting as a hearing officer.</u></p> <p><u>The Attorney General shall represent personally or through one of his assistants any third impartial panel member who shall be made a defendant in any civil action arising out of any matter connected with his duties as a panel member. If, in the opinion of the Attorney General, it is impracticable or uneconomical for such legal representation to be rendered by him or one of his assistants, he may employ special counsel of this purpose, whose compensation shall be fixed by the Attorney General and be paid out of the funds appropriated for the administration of the Department of Education.</u></p>	<p>Exact language change From the <u>Code of Virginia</u> § 22.1-312, A.</p>

<p>8 VAC 20-90-70, B, 3</p> <p>3. Holding of Hearing. The hearing shall be held by the panel within 30 calendar <u>business</u> days from the date of the selection of the final panel member. The panel shall set the date, place, and time for the hearing and shall so notify the division superintendent and the teacher. The teacher and the division superintendent each may have present at the hearing and be represented at all stages by legal counsel or another representative.</p>	<p>Exact language change From the <u>Code of Virginia</u> §22.1-308,4 § 22.1-312, A.</p>
<p>8 VAC 20-90-70, B, 4,b&c</p> <p>b. The panel may ask <u>at the beginning of the hearing</u>, for statements from the division superintendent and the teacher (or their representative) clarifying the issues involved, at the beginning of the hearing and at the discretion of the panel may allow closing statements.</p> <p>c. The parties shall then present their claims in <u>and</u> evidence. Witnesses may be questioned by the panel members, and by the teacher and the division superintendent or their representative. However, the panel may, at its discretion, vary this procedure but shall afford full and equal opportunity to all parties for presentation of any material or relevant evidence and shall afford the parties the right of cross examination.</p>	<p>Exact language change From the <u>Code of Virginia</u> § 22.1-312, D.</p>
<p>VAC 20-90-70, B, 4, f, g, &j</p> <p>f. <u>The facts found and recommendations made by the panel shall be arrived at by a majority vote of the panel members.</u></p> <p>fg. The facts found and recommendations and findings of fact made by of the panel shall be based exclusively upon the evidence presented to the panel at the hearing, and such facts found and recommendations made shall be arrived at by a majority vote of the panel members. No panel member shall conduct an independent investigation involving the matter grieved.</p> <p>kj. A stenographic record or tape recording of the proceedings shall be taken. <u>However, in proceedings concerning grievances not related to dismissal or probation, the recording may be dispensed with entirely by mutual consent of the parties. In such proceedings, if the recording is not dispensed with, the two parties shall share the cost of the recording equally; if either party requests a transcript, that party shall bear the expense of its preparation.</u></p>	<p>Exact language change From the <u>Code of Virginia</u> § 22.1-312, F.</p> <p>Exact language change From the <u>Code of Virginia</u> § 22.1-312, L.</p> <p>Exact language change From the <u>Code of Virginia</u> § 22.1-312, I.</p>
<p>VAC 20-90-70, C, 1.</p> <p>1. After receipt of the notice of pending dismissal or placing on probation described in §3.1 Subsection A. 1. Subdivision A1 of this section, the teacher may request a hearing before the school board by delivering written notice to the division superintendent within 15 days from the receipt of notice from the superintendent. Subsequent to the hearing by a fact-finding panel under §3.1 Subsection B. Subdivision B, the teacher, as permitted by §3.1 Subsection B. 6. Subdivision B7 of this section, or the school board may request a school board hearing by written notice to the opposing party and the division superintendent within 10 <u>business</u> days after the receipt by the party initiating such hearing of the findings of fact and recommendations made by the fact-finding panel and the transcript of the panel hearing. Such notice shall be provided upon a form to be prescribed by the Board of Education and shall specify each matter to be inquired into by the school board.</p>	<p>Editorial Revision to locate referenced citation (no substantive change)</p> <p>Exact language change From the <u>Code of Virginia</u> § 22.1-313, D.</p>

<p>8 VAC 20-90-70 C, 4</p> <p>4. The teacher and the division superintendent may be represented by legal counsel and another representative. The hearing before the school board shall be private, unless the teacher requests a public hearing. The school board shall establish the rules for the conduct of any hearing before it. Such rules shall include the opportunity for the teacher and the division superintendent to make an opening statement and to present all material or relevant evidence, including the testimony of witnesses and the right of all parties to cross-examine the witnesses. Witnesses may be questioned by the school board. <u>The school board may hear a recommendation for dismissal and make a determination whether to make a recommendation to the Board of Education regarding the teacher's license at the same hearing or hold a separate hearing for each action.</u></p>	<p>Exact language change From the <u>Code of Virginia</u> §22.1-311</p>
<p>VAC 20-90-70, D, 2</p> <p>2. The school board may dismiss, suspend, or place on probation a teacher upon a majority vote of a quorum of the school board. In the event the school board's decision is at variance with the recommendations of the fact-finding panel, the school board's decision is at variance with the recommendation of the fact finding panel, the school board's written decision shall include the rationale for the decision shall be required to conduct an additional hearing which shall be public unless the teacher requests a private one. However, if the fact-finding hearing was held in private, the additional hearing shall be held in private. <u>The hearing shall be conducted by the school board pursuant to 8 VAC 20-90-60.C1&2, except that the grievant and the division superintendent shall be allowed to appear, to be represented, and to give testimony. However, the additional hearing shall not include examination and cross-examination of any other witnesses. The school board's written decision shall include the rationale for the decision.</u></p>	<p>Exact language change From the <u>Code of Virginia</u> §22.1-313</p>

**VIRGINIA BOARD OF EDUCATION
REGULATIONS**

**PROCEDURE FOR
ADJUSTING GRIEVANCES**

8 VAC 20-90-10 et seq.

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Procedure for Adjusting Grievances

PART I Definitions

8 VAC 20-90-10 Definitions

The following words and terms, when used in these regulations, shall have the following meaning, unless the context clearly indicates otherwise:

"Days" means calendar days unless a different meaning is clearly expressed in this procedure. Whenever any period of time fixed by this procedure shall expire on a Saturday, Sunday, or legal holiday, the period of time for taking action under this procedure shall be extended to the next day if it is not a Saturday, Sunday, or legal holiday.

"Dismissal" means the dismissal of any teacher within the term of such teacher's contract and the nonrenewal of a contract of a teacher on a continuing contract.

"Grievance" means, for the purpose of Part II (8 VAC 20-90-20 et seq.), a complaint or a dispute by a teacher relating to his or her employment, including but not necessarily limited to disciplinary actions other than dismissal or placing on probation; the application or interpretation of personnel policies, procedures, rules, and regulations, ordinances, and statutes; acts of reprisal against a teacher for filing or processing a grievance, participating as a witness in any step, meeting or hearing relating to a grievance, or serving as a member of a fact-finding panel; and complaints of discrimination on the basis of race, color, creed, political affiliation, handicap, age, national origin, or sex. "Grievance" means, for the purpose of Part III (8 VAC 20-90-60 et seq.), a complaint or a dispute involving a teacher relating to his or her employment involving dismissal or placing on probation. The term "grievance" shall not include a complaint or dispute by a teacher relating to the establishment and revision of wages or salaries, position classifications, or general benefits; suspension of a teacher or nonrenewal of the contract of a teacher who has not achieved continuing contract status; the establishment or contents of ordinances, statutes, or personnel policies, procedures, rules, and regulations; failure to promote; discharge, layoff, or suspension from duties because of decrease in enrollment, decrease in enrollment or abolition of a particular subject or insufficient funding; hiring, transfer,

assignment, and retention of teachers within the school division; suspension from duties in emergencies; or the methods, means, and personnel by which the school division's operations are to be carried on. While these management rights are reserved to the school board, failure to apply, where applicable, these rules, regulations, policies, or procedures as written or established by the school board is grievable.

"Personnel file" means, for the purpose of Part III (8 VAC 20-90-60), any and all memoranda, entries, or other documents included in the teacher's file as maintained in the central school administration office or in any file ~~on~~ regarding the teacher maintained within a school in which the teacher serves.

"Probation" means a period not to exceed one year during which time it shall be the duty of the teacher to remedy those deficiencies that gave rise to the probationary status.

"Teacher" or **"teachers"** means, for the purpose of Part II (8 VAC 20-90-20 et seq.), all employees of the school division involved in classroom instruction and all other full-time employees of the school division except those employees classified as supervising employees. "Teacher" means, for the purpose of Part III (8VAC 20-90-60 et seq.), all regularly licensed professional public school personnel employed under a written contract as provided by §22.1-302 of the Code of Virginia by any school division as a teacher or supervisor of classroom teachers but excluding all superintendents.

"Shall file," "shall respond in writing," or "shall serve written notice" means the document is either delivered personally to the grievant or office of the proper school board representative or is mailed by registered or certified mail, return receipt requested, and postmarked within the time limits prescribed by this procedure.

"Supervisory employee" means any person having authority in the interest of the board (i) to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees; and (ii) to direct other employees; or (iii) to adjust the grievance of other employees; or (iv) to recommend any action set forth in (i), (ii), or (iii) above; provided that the authority to act as set forth in (i), (ii), (iii), or (iv) requires the exercise of independent judgment and is not merely routine and clerical in nature.

"Written grievance appeal" means a written or typed statement describing the event or action complained of or the date of the event or action, and a concise description of those policies, procedures, regulations, ordinances or statutes upon which the teacher bases his or her claim. The grievant shall specify what he or she seeks through the use of the grievance procedure. A statement shall be written upon forms prescribed by the Board of Education and supplied by the local school board.

PART II

Grievance Procedure

8 VAC 20-90-20 Purpose of Part II of this Grievance Procedure

The purpose of Part II of the Procedure for Adjusting Grievances is to provide an orderly procedure for resolving disputes concerning the application, interpretation, or violation of any of the provisions of local school board policies, procedures, rules, and regulations as they affect the work of teachers, other than dismissal or probation. An equitable solution of grievances should be secured at the most immediate administrative level. The procedure should not be construed as limiting the right of any teacher to discuss any matter of concern with any member of the school administration. Nor should the procedure be construed to restrict any teacher's right to seek, or the school division administration's right to provide, review of complaints that are not included within the definition of a grievance. Nothing in this procedure shall be interpreted to limit a school board's exclusive final authority over the management and operation of the school division.

8 VAC 20-90-30 Grievance Procedure

Recognizing that grievances should be begun and settled promptly, a grievance must be initiated within 15 ~~working business~~ days following either the event giving rise to the grievance, or within 15 ~~working business~~ days following the time when the employee knew or reasonably should have known of its occurrence. Grievances shall be processed as follows:

- A. **Step 1 - Informal.** The first step shall be an informal conference between the teacher and his or her immediate supervisor (which may be the principal). The teacher shall state the nature of the grievance, and the immediate supervisor shall attempt to adjust the grievance. It is mandatory that the teacher presents the grievance informally prior to proceeding to Step 2.
- B. **Step 2 - Principal.** If for any reason the grievance is not resolved informally to the satisfaction of the teacher in Step 1, the teacher must perfect his or her grievance by filing said grievance in writing within 15 ~~working business~~ days following the event giving rise to the grievance, or within 15 ~~working business~~ days following the time when the employee knew or reasonably should have known of its occurrence, specifying on the form the specific relief sought. Regardless of the outcome of Step 1, if a written grievance is not, without just cause, filed within the specified time, the grievance will be barred.

A meeting shall be held between the principal (or his or her designee or both) and the teacher (or his or her designee or both) within five ~~working business~~ days of the receipt by the principal of the written grievance. At such meeting the teacher and/or other party

involved shall be entitled to present appropriate witnesses and to be represented by legal counsel and another representative. The principal (or his or her designee or both) shall respond in writing within five ~~working business~~ days following such meeting.

The principal may forward to the teacher within five days from the receipt of the written grievance a written request for more specific information regarding the grievance. The teacher shall file an answer ~~to that thereto~~ within 10 ~~working business~~ days, and the meeting must then be held within five ~~business~~ days ~~after that thereafter~~.

- C. **Step 3 - Superintendent.** If the grievance is not settled to the teacher's satisfaction in Step 2, the teacher can proceed to Step 3 by filing a written notice of appeal with the superintendent, accompanied by the original grievance appeal form within five ~~working business~~ days after receipt of the Step 2 answer (or the due date of such answer). A meeting shall then be held between the superintendent (or his or her designee or both) and the teacher (or his or her designee or both) at a mutually agreeable time within five ~~working business~~ days. At such meeting both the superintendent and the teacher shall be entitled to present witnesses and to be represented by legal counsel and another representative. A representative may examine, cross-examine, question, and present evidence on behalf of a grievant or the superintendent without violating the provisions of §54.1-3904 of the Code of Virginia. If no settlement can be reached in said meeting, the superintendent (or his or her designee) shall respond in writing within five ~~working business~~ days following such meeting. The superintendent or designee may make a written request for more specific information from the teacher, but only if such was not requested in Step 2. Such request shall be answered within 10 ~~working business~~ days, and the meeting shall be held within five ~~working business~~ days of the date on which the answer was received. If the grievance is not resolved to the satisfaction of the teacher in Step 3, the teacher may elect to have a hearing by a fact-finding panel, as provided in Step 4, or after giving proper notice may request a decision by the school board pursuant to Step 5.
- D. **Step 4 - Fact-Finding Panel.** In the event the grievance is not settled upon completion of Step 3, either the teacher or the school board may elect to have a hearing by a fact-finding panel prior to a decision by the school board, as provided in Step 4. If the teacher elects to proceed to Step 4, he must notify the superintendent in writing of the intention to request a fact-finding panel and enclose a copy of the original grievance form within five ~~working business~~ days after receipt of a Step 3 answer (or the due date of such answer). If the school board elects to proceed to a fact-finding panel, the superintendent must serve written notice of the board's intention to the grievant within 15 ~~working business~~ days after the answer provided by Step 3.
1. **Panel.** Within five ~~working business~~ days after the receipt by the division superintendent of the request for a fact-finding panel, the teacher and the division superintendent shall each select one panel member from among the

employees of the school division other than an individual involved in any previous phase of the grievance procedure as a supervisor, witness or representative. The two panel members so selected shall within five ~~working~~ business days of their selection select a third impartial panel member.

2. **Selection of Impartial Third Member.** In the event that both panel members are unable to agree upon a third panel member within five ~~working~~ business days, both members of the panel shall request the chief judge of the circuit court having jurisdiction of the school division to furnish a list of five qualified and impartial individuals from which one individual shall be selected by the two members of the panel to serve as the third member. The individuals named by the chief judge may reside either within or outside the jurisdiction of the circuit court, be residents of the Commonwealth of Virginia, and in all cases shall possess some knowledge and expertise in public education and education law and shall be deemed by the judge to be capable of presiding over an administrative hearing. Within five business days after receipt by the two panel members of the list of fact finders nominated by the chief judge, the panel members shall meet to select the third panel member. Selection shall be made by alternately deleting names from the list until only one remains. The panel member selected by the teacher shall make the first deletion. The third impartial panel member shall chair the panel. No elected official shall serve as a panel member. ~~Panel members shall not be parties to, or witnesses to, the matter~~ grieved. With the agreement of the teacher's and division superintendent's panel members, the impartial panel member shall have the authority to conduct the hearing and make recommendations as set forth herein while acting as a hearing officer.

~~The Attorney General shall represent personally or through one of his assistants any third impartial panel member who shall be made a defendant in any civil action arising out of any matter connected with his duties as a panel member. If, in the opinion of the Attorney General, it is impracticable or uneconomical for such legal representation to be rendered by him or one of his assistants, he may employ special counsel of this purpose, whose compensation shall be fixed by the Attorney General and be paid out of the funds appropriated for the administration of the Department of Education.~~

3. **Holding of Hearing.** The hearing shall be held by the panel within 30 ~~calendar~~ business days from the date of selection of the final panel member. The panel shall set the date, place, and time for the hearing and shall so notify the division superintendent and the teacher. The teacher and the division superintendent each may have present at the hearing and be represented at all stages by a representative or legal counsel.

4. **Procedure for Fact-Finding Panel**

- a. The panel shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing, provided that, at the request of the teacher, the hearing shall be private.
- b. The panel may ask, ~~at the beginning of the hearing,~~ for statements from the division superintendent and the teacher clarifying the issues involved. ~~at the beginning of the hearing and at the discretion of the panel may allow closing statements.~~
- c. The parties shall then present their claims in and evidence. Witnesses may be questioned by the panel members, ~~or by the teacher and the division superintendent. or their representative.~~ The panel ~~may,~~ in at its discretion, ~~may~~ vary this procedure, but shall afford full ~~and equal~~ opportunity ~~for to~~ all parties to present any material or relevant evidence and shall afford the parties the right of cross-examination.
- d. The parties shall produce such additional evidence as the panel may deem necessary to an understanding and determination of the dispute. The panel ~~may~~ shall be the judge of the relevancy and materiality of the evidence offered. All evidence shall be taken in the presence of the panel and of the parties.
- e. Exhibits offered by the teacher or the division superintendent may be received in evidence by the panel and, when so received, shall be marked and made a part of the record.
- f. ~~The finding of facts facts found and recommendations made by the panel shall be based exclusively upon the evidence presented at the hearing and the panel's recommendations shall be arrived at by a majority vote of the panel members.~~
- g. ~~On its own motion or upon application of the teacher or division superintendent; t~~ The hearing may be reopened by the panel, ~~on its own motion or upon application of the teacher or the division superintendent for good cause shown, at any time to hear after-discovered evidence at any time before its final report is delivered the panel's report is made.~~
- h. The panel shall make a written report that shall include its findings of fact and recommendations and shall file it with the members of the school board, the division superintendent, and the teacher, not later than 30 ~~business~~ days after the completion of the hearing.

- i. ~~A stenographic record or tape recording of the proceedings shall be taken of the proceedings. However, in proceedings concerning grievances not related to dismissal or probation, the recording may be dispensed with entirely by mutual consent of the parties. In such proceedings, if the recording is not dispensed with, the two parties shall share equally the cost of the recording. If either party requests a transcript, that party shall bear the expense involved in preparing it of its preparation.~~

~~In cases of dismissal or probation, a record or recording of the proceedings shall be made and preserved for a period of six months. If either the teacher or the school board requests that a transcript of the record or recording be made at any time prior to expiration of the six-month period, it shall be made and copies shall be furnished to both parties. The school board shall bear the expense of the recording and the transcription.~~

- j. ~~The recommendations and findings of fact of the panel submitted to the school board shall be based exclusively upon the evidence presented to the panel at the hearing. No panel member shall conduct an independent investigation involving the matter grieved.~~

5. Expenses

- a. The teacher shall bear his or her own expenses. The school board shall bear the expenses of the division superintendent. The expenses of the panel shall be borne one half by the school board and one half by the teacher.
- b. The parties shall set the per diem rate of the panel. If the parties are unable to agree on the per diem, it shall be fixed by the chief judge of the circuit court. No employee of the school division shall receive such per diem for service on a panel during his or her normal working business hours if he or she receives the normal salary for the period of such service.
- c. Witnesses who are employees of the school board shall be granted release time if the hearing is held during the school day. The hearing shall be held at the school in which most witnesses work, if feasible.

6. Right to Further Hearings

Following a hearing by a fact-finding panel, the teacher shall not have the right to a further hearing by the school board as provided in subsection E(3) of this section. The school board shall have the right to require a further hearing in any grievance proceeding as provided in subsection E(3) of this section.

E. Step 5 - Decision by the School Board

1. If a teacher elects to proceed directly to a determination before the school board as provided for in Step 5, he or she must notify the superintendent in writing of the intention to appeal directly to the board, of the grievance alleged and the relief sought, within five ~~working business~~ days after receipt of the answer as required in Step 3 or the due date thereof. Upon receipt of such notice, the school board may elect to have a hearing before a fact-finding panel, as indicated in Step 4, by filing a written notice of such intention with the teacher within 10 ~~working business~~ days of the deadline for the teacher's request for a determination by the school board.
2. In the case of a hearing before a fact-finding panel, the school board shall give the grievant its written decision within 30 days after the school board receives both the transcript of such hearing, if any, and the panel's finding of fact and recommendations unless the school board proceeds to a hearing under ~~§2.2 Subsection E.3~~ Subdivision E.3 of this section. The decision of the school board shall be reached after considering the transcript, if any; the findings of fact and recommendations of the panel; and such further evidence as the school board may receive at any further hearing that the school board elects to conduct.
3. In any case in which a hearing before a fact-finding panel is held in accordance with Step 4, the local school board may conduct a further hearing before such school board.
 - a. The local school board shall initiate such hearing by sending written notice of its intention to the teacher and the division superintendent within 10 days after receipt by the board of the findings of fact and recommendations of the fact-finding panel and any transcript of the panel hearing. Such notice shall be provided upon forms to be prescribed by the Board of Education and shall specify each matter to be inquired into by the school board.
 - b. In any case where such further hearing is held by a school board after a hearing before the fact-finding panel, the school board shall consider at such further hearing the transcript, if any; the findings and recommendations of the fact-finding panel; and such further evidence

including, but not limited to, the testimony of those witnesses who have previously testified before the fact-finding panel as the school board deems may be appropriate or as may be offered on behalf of the grievant or the administration.

- c. The further hearing before the school board shall be set within 30 days of the initiation of such hearing, and the teacher must be given at least 15 days written notice of the date, place, and time of the hearing. The teacher and the division superintendent may be represented by legal counsel and another representative. The hearing before the school board shall be private, unless the teacher

requests a public hearing. The school board shall establish the rules for the conduct of any hearing before it. Such rules shall include the opportunity for the teacher and the division superintendent to make an opening statement and to present all material or relevant evidence, including the testimony of witnesses and the right of all parties or their representatives to cross-examine the witnesses. Witnesses may be questioned by the school board.

The school board's attorney, assistants, or representative, if he, she, or they represented a participant in the prior proceedings, the grievant, the grievant's attorney, or representative and, notwithstanding the provisions of §22.1-69, the superintendent shall be excluded from any executive session of the school board which has as its purpose reaching a decision on a grievance.

However, immediately after a decision has been made and publicly announced, as in favor of or not in favor of the grievant, the school board's attorney or representative and the superintendent may join the school board in executive session to assist in the writing of the decision.

A stenographic record or tape recording of the proceedings shall be taken. However, in proceedings concerning grievances not related to dismissal or probation, the recording may be dispensed with entirely by mutual consent of the parties. In such proceedings, if the recording is not dispensed with, the two parties shall share the cost of the recording equally; if either party requests a transcript, that party shall bear the expense of its preparation.

In the case of dismissal or probation, a record or recording of the proceedings shall be made and preserved for a period of six months. If either the teacher or the school board requests that a transcript of the

record or recording be made at any time prior to expiration of the six-month period, it shall be made and copies shall be furnished to both parties. The school board shall bear the expense of the recording and the transcription.

- d. The decision of the school board shall be based solely on the transcript, if any; the findings of fact and recommendations of the fact-finding panel; and any evidence relevant to the issues of the original grievance produced at the school board hearing in the presence of each party. The school board shall give the grievant its written decision within 30 days after the completion of the hearing before the school board. In the event the school board's decision is at variance with the recommendations of the fact-finding panel, the school board's written decision shall include the rationale for the decision.
3. In any case where a hearing before a fact-finding panel is not held, the board may hold a separate hearing or may make its determination on the basis of the written evidence presented by the teacher and the recommendation of the superintendent.
4. The school board shall retain its exclusive final authority over matters concerning employment and the supervision of its personnel.

8 VAC 20-90-40 Grievability

- A. **Initial Determination of Grievability.** Decisions regarding whether a matter is grievable shall be made by the school board at the request of the division superintendent or grievant. The school board shall reach its decision only after allowing the division superintendent and the grievant opportunity to present written or oral arguments regarding grievability. The decision as to whether the arguments shall be written or oral shall be in the discretion of the school board. Decisions shall be made within 10 business days of such request. Such determination of grievability shall be made subsequent to the reduction of the grievance to writing but prior to any panel or board hearing or the right to such determination shall be deemed to have been waived. Failure of the school board to make such a determination within such a prescribed 10-business day period shall entitle the grievant to advance to the next step as if the matter were grievable.

B. Appeal of Determination on Grievability

1. Decisions of the school board may be appealed to the circuit court having jurisdiction in the school division for a hearing on the issue of grievability.
 - a. Proceedings for a review of the decision of the school board shall be instituted by filing a notice of appeal with the school board within 10 business days after the date of the decision and giving a copy thereof to all other parties.
 - b. Within 10 business days thereafter, the school board shall transmit to the clerk of the court to which the appeal is taken a copy of its decision, a copy of the notice of appeal and the exhibits. The failure of the school board to transmit the record within the time allowed shall not prejudice the rights of the grievant. The court, on motion of the grievant, may issue a writ of certiorari requiring the school board to transmit the record on or before a certain date.
 - c. Within 10 business days of receipt by the clerk of such record, the court, sitting without a jury, shall hear the appeal on the record transmitted by the school board and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The court, in its discretion, may receive such other evidence as the ends of justice require.
 - d. The court may affirm the decision of the school board or may reverse or modify the decision. The decision of the court shall be rendered not later than the fifteenth day from the date of the conclusion of the court's hearing.

8 VAC 20-90-50 Time Limitations

The right of any party to proceed at any step of this Part II grievance procedure shall be conditioned upon compliance with the time limitations and other requirements set forth in this procedure.

- A. The failure of the teacher to comply with all substantial procedural requirements, including initiation of the grievance and notice of appeal to the next step in the procedure, shall eliminate the teacher's right to any further proceedings on the grievance unless just cause for such failure can be shown.
- B. The failure of the school board or any supervisory employee to comply with all substantial procedural requirements without just cause shall entitle the grievant, at his or her option, to advance to the next step in the procedure or, at the final step, to a decision in his or her favor.

- C. The determination as to whether the substantial procedural requirements of this Part II of the Procedure for Adjusting Grievances have been complied with shall be made by the school board. In any case in which there is a factual dispute as to whether the procedural requirements have been met or just cause has been shown for failure to comply, the school board shall have the option of allowing the grievant to proceed to its next step. The fact that the grievance is allowed to proceed in such case shall not prevent any party from raising such failure to observe the substantial procedural requirements as an affirmative defense at any further hearing involving the grievance.

PART III

Procedure for Dismissals or Placing on Probation and Time Limitations

8 VAC 20-90-60 Dispute Resolution

This Part III of the Procedure for Adjusting Grievances adopted by the Board of Education in accordance with the statutory mandate of Article 3, Chapter 15, Title 22.1 of the Code of Virginia and the Standards of Quality for school divisions, is to provide an orderly procedure for the expeditious resolution of disputes involving the dismissal or placing on probation of any teacher.

8 VAC 20-90-70 Procedure for Dismissals or Placing on Probation

A. Notice to teacher of recommendation for dismissal or placing on probation

1. In the event a division superintendent determines to recommend dismissal of any teacher or the placing on probation of a teacher on continuing contract, written notice shall be sent to the teacher on forms to be prescribed by the Board of Education notifying him or her of the proposed dismissal or placing on probation and informing the teacher that within 15 days after receiving the notice, the teacher may request a hearing before the school board or before a fact-finding panel as hereinafter set forth.
2. During such 15-day period and thereafter until a hearing is held in accordance with the provisions herein, if one is requested by the teacher, the merits of the recommendation of the division superintendent shall not be considered, discussed, or acted upon by the school board except as provided for herein.
3. At the request of the teacher, the superintendent shall provide the reasons for the recommendation in writing or, if the teacher prefers, in a personal interview. In the event a teacher requests a hearing pursuant to §22.1-311 or §22.1-312, the division superintendent shall provide, within 10 days of the request, the teacher or his representative with the opportunity to inspect and copy his personnel file and all other documents relied upon in reaching the decision to recommend dismissal or probation. Within 10 days of the request of the division superintendent, the teacher or his representative shall provide the division superintendent with the opportunity to inspect and copy the documents to be offered in rebuttal to the decision to recommend dismissal or probation.

~~The division superintendent and the teacher or his representative shall be under a continuing duty to disclose and produce any additional documents identified later which may be used in the respective parties' cases-in-chief. The cost of copying such documents shall be paid by the requesting party.~~

- B. **Fact-Finding Panel.** Within 15 days after the teacher receives the notice referred to in ~~§3.1 Subsection A.1. Subdivision A1 of this section~~, either the teacher or the school board, by written notice to the other party upon a form to be prescribed by the Board of Education, may elect to have a hearing before a fact-finding panel prior to any decision by the school board.
1. **Panel.** Within five ~~working business~~ days after the receipt by the division superintendent of the request for a fact-finding panel, the teacher and the division superintendent shall each select one panel member from among the employees of the school division other than an individual involved in the recommendation of dismissal or placing on probation as a supervisor, witness, or representative. The two panel members so selected shall within five ~~working business~~ days of their selection select a third impartial panel member.
 2. **Selection of Impartial Third Member.** In the event that both panel members are unable to agree upon a third panel member within five ~~working business~~ days, both members of the panel shall request the chief judge of the circuit court having jurisdiction of the school division to furnish a list of five qualified and impartial individuals from which list one individual shall be selected by the two members of the panel as the third member. The individuals named by the chief judge may reside either within or without the jurisdiction of the circuit court, be residents of the Commonwealth of Virginia, and in all cases shall possess some knowledge and expertise in public education and education law and shall be deemed by the judge capable of presiding over an administrative hearing. Within five ~~business~~ days after receipt by the two panel members of the list of fact finders nominated by the chief judge, the panel members shall meet to select the third panel member. Selection shall be made by the panel members, alternately deleting names from the list until only one remains with the panel member selected by the teacher to make the first deletion. The third impartial panel member shall chair the panel. No elected official shall serve as a panel member. ~~Panel members shall not be parties to, or witnesses to, the matter grieved. With the agreement of the teacher's and division superintendent's panel members, the impartial panel member shall have the authority to conduct the hearing and make recommendations as set forth herein while acting as a hearing officer.~~

The Attorney General shall represent personally or through one of his assistants any third impartial panel member who shall be made a defendant in any civil action arising out of any matter connected with his duties as a panel member. If, in the opinion of the Attorney General, it is impracticable or uneconomical for such legal representation to be rendered by him or one of his assistants, he may employ special counsel of this purpose, whose compensation shall be fixed by the Attorney General and be paid out of the funds appropriated for the administration of the Department of Education.

3. **Holding of Hearing.** The hearing shall be held by the panel within 30 calendar days from the date of the selection of the final panel member. The panel shall set the date, place, and time for the hearing and shall so notify the division superintendent and the teacher. The teacher and the division superintendent each may have present at the hearing and be represented at all stages by legal counsel or another representative.

4. **Procedure for Fact-Finding Panel**

- a. The panel shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing, provided that, at the request of the teacher, the hearing shall be private.
- b. The panel may ask, at the beginning of the hearing, for statements from the division superintendent and the teacher (or their representative) clarifying the issues involved. at the beginning of the hearing and at the discretion of the panel may allow closing statements.
- c. The parties shall then present their claims in and evidence. Witnesses may be questioned by the panel members, and by the teacher and the division superintendent or their representative. However, the panel may, at its discretion, vary this procedure but shall afford full and equal opportunity to all parties for presentation of any material or relevant evidence and shall afford the parties the right of cross examination.
- d. The parties shall produce such additional evidence as the panel may deem necessary to an understanding and determination of the dispute. The panel shall be the judge of relevancy and materiality of the evidence offered. All evidence shall be taken in the presence of the panel and of the parties.
- e. Exhibits offered by the teacher or the division superintendent may be received by the panel and, when so received, shall be marked and made a part of the record.

- f. ~~The facts found and recommendations made by the panel shall be arrived at by a majority vote of the panel members.~~
- fg. ~~The facts found and recommendations and findings of fact made by of the panel shall be based exclusively upon the evidence presented to the panel at the hearing. and such facts found and recommendations made shall be arrived at by a majority vote of the panel members. No panel member shall conduct an independent investigation involving the matter grieved.~~
- gh. The hearing may be reopened by the panel at any time before the panel's report is made upon its own motion or upon application of the teacher or the division superintendent for good cause shown to hear after-discovered evidence.
- hi. The panel shall make a written report that shall include its findings of fact and recommendations and shall file it with the members of the school board, the division superintendent, and the teacher, not later than 30 days after the completion of the hearing.
- kj. A stenographic record or tape recording of the proceedings shall be taken. ~~However, in proceedings concerning grievances not related to dismissal or probation, the recording may be dispensed with entirely by mutual consent of the parties. In such proceedings, if the recording is not dispensed with, the two parties shall share the cost of the recording equally; if either party requests a transcript, that party shall bear the expense of its preparation.~~

In cases of dismissal or probation, a record or recording of the proceedings shall be made and preserved for a period of six months. If either the teacher or the school board requests that a transcript of the record or recording be made at any time prior to expiration of the six-month period, it shall be made and copies shall be furnished to both parties. The school board shall bear the expense of the recording and the transcription.

5. Expenses

- a. The teacher shall bear his or her own expenses. The school board shall bear the expenses of the division superintendent. The expenses of the panel shall be borne one half by the school board and one half by the teacher.

- b. The parties shall set the per diem rate of the panel. If the parties are unable to agree on the per diem, it shall be fixed by the chief judge of the circuit court. No employee of the school division shall receive such per diem for service on a panel during his or her normal working business hours if he or she receives his or her normal salary for the period of such service.
6. **Right to Further Hearing.** If the school board elects to have a hearing by a fact-finding panel on the dismissal or placing on probation of a teacher, the teacher shall have the right to a further hearing by the school board as provided in subsection C of this section. The school board shall have the right to require a further hearing as provided in subsection C also.
7. **Witnesses.** Witnesses who are employees of the school board shall be granted release time if the hearing is held during the school day. The hearing shall be held at the school in which most witnesses work, if feasible.

C. Hearing by School Board

1. After receipt of the notice of pending dismissal or placing on probation described in ~~§3.1 Subsection A. 1. Subdivision A1 of this section~~, the teacher may request a hearing before the school board by delivering written notice to the division superintendent within 15 days from the receipt of notice from the superintendent. Subsequent to the hearing by a fact-finding panel under ~~§3.1 Subsection B. Subdivision B, the teacher, as permitted by §3.1 Subsection B. 6. Subdivision B7 of this section~~, or the school board may request a school board hearing by written notice to the opposing party and the division superintendent within 10 business days after the receipt by the party initiating such hearing of the findings of fact and recommendations made by the fact-finding panel and the transcript of the panel hearing. Such notice shall be provided upon a form to be prescribed by the Board of Education and shall specify each matter to be inquired into by the school board.
2. In any case in which a further hearing is held by a school board after a hearing before the fact-finding panel, the school board shall consider at such further hearing the record, or transcript, if any, the finding of fact and recommendations made by the fact-finding panel and such further evidence, including but not limited to, the testimony of those witnesses who have previously testified before the fact-finding panel as the school board deems appropriate or as may be offered on behalf of the teacher or the superintendent.
3. The school board hearing shall be set and conducted within 30 days of the

receipt of the teacher's notice or the giving by the school board of its notice. The teacher shall be given at least 15 days' written notice of the date, place, and time of the hearing and such notice shall also be provided to the division superintendent.

4. The teacher and the division superintendent may be represented by legal counsel and another representative. The hearing before the school board shall be private, unless the teacher requests a public hearing. The school board shall establish the rules for the conduct of any hearing before it. Such rules shall include the opportunity for the teacher and the division superintendent to make an opening statement and to present all material or relevant evidence, including the testimony of witnesses and the right of all parties to cross-examine the witnesses. Witnesses may be questioned by the school board. The school board may hear a recommendation for dismissal and make a determination whether to make a recommendation to the Board of Education regarding the teacher's license at the same hearing or hold a separate hearing for each action.
5. A record or recording of the proceedings shall be made and preserved for a period of six months. If either the teacher or the school board requests that a transcript of the record or recording be made at any time prior to expiration of the six-month period, it shall be made and copies shall be

furnished to both parties. The board shall bear the expense of the recording and the transcription.
6. The school board shall give the teacher its written decision within 30 days after the completion of the hearing before the school board.
7. The decision by the school board shall be based on the transcript, the findings of fact, and recommendations made by the fact-finding panel and any evidence relevant to the issues of the original grievance produced at the school board hearing in the presence of each party.

The school board's attorney, assistants, or representative, if he, she, or they represented a participant in the prior proceedings, the grievant, the grievant's attorney, or representative and notwithstanding the provisions of §22.1-69, the superintendent shall be excluded from any executive session of the school board which has as its purpose reaching a decision on a grievance. However, immediately after a decision has been made and publicly announced, as in favor of or not in favor of the grievant, the school board's attorney or representative and the superintendent may join the school board in executive session to assist in the writing of the decision.

D. School Board Determination

1. In any case in which a hearing is held before a fact-finding panel but no further hearing before the school board is requested by either party, the school board shall give the teacher its written decision within 30 days after the school board receives both the transcript of such hearing and the panel's findings of fact and recommendations. The decision of the school board shall be reached after considering the transcript, the findings of fact, and the recommendations made by the panel.
2. The school board may dismiss, suspend, or place on probation a teacher upon a majority vote of a quorum of the school board. In the event the school board's decision is at variance with the recommendations of the fact-finding panel, the school board's decision is at variance with the recommendation of the fact finding panel, the school board's written decision shall include the rationale for the decision shall be required to conduct an additional hearing which shall be public unless the teacher requests a private one. However, if the fact-finding hearing was held in private, the additional hearing shall be held in private. The hearing shall be conducted by the school board pursuant to 8 VAC 20-90-60,C1&2, except that the grievant and the division superintendent shall be allowed to appear, to be represented, and to give testimony. However, the additional hearing shall not include examination and cross-examination of any other witnesses. The school board's written decision shall include the rationale for the decision.

8 VAC20-90-80 Time Limitations

The right of any party to proceed at any step of the grievance procedure shall be conditioned upon compliance with the time limitations and other requirements set forth in this grievance procedure.

- A. The failure of the grievant to comply with all substantial procedural requirements shall terminate the teacher's right to any further proceedings on the grievance unless just cause for such failure can be shown.
- B. The failure of the school board or of any supervisory employee to comply with all substantial procedural requirements without just cause shall entitle the grievant, at his or her option, to advance to the next step in the procedure or, at the final step, to a decision in his or her favor.
- C. The determination as to whether the substantial procedural requirements of this Part III of the Procedure for Adjusting Grievances have been complied with shall be made by the school board. In any case in which there is a factual dispute as to whether the procedural requirements have been met or just cause has been shown for failure to

comply, the school board shall have the option of allowing the grievance to proceed to its next step. The fact that the grievance is allowed to proceed in such case shall not prevent any party from raising such failure to observe the substantial procedural requirements as an affirmative defense at any further hearing involving the grievance.

8 VAC20-90-90 Forms

- A. Principal's Decision
- B. Request for Hearing
- C. Notice of Proposed Dismissal or Proposed Placing on Probation

FORMS FOR PART II OF THE PROCEDURE FOR ADJUSTING GRIEVANCES

Enclosed herein are the necessary forms for adjusting grievances in accordance with Part II of the Grievance Procedure of the State Board of Education.

The grievant is advised to become familiar with the procedure for adjusting grievances. Special emphasis should be given to the procedural steps.

VIRGINIA BOARD OF EDUCATION

STATEMENT OF GRIEVANCE

STEP 2 – TO BE PRESENTED TO PRINCIPAL

Name of grievant	Date filed
School/department of assignment	Subject area or grade
Immediate superior and/or principal	Grievant's representative

Policy, procedure, regulation, ordinance, statute being grieved, and date you knew of reasonably should have known of its occurrence:

Statement of grievance:

Specific relief requested:

Grievant's signature	Representative's signature
Date	Date

PRINCIPAL'S DECISION

STEP 2 – DECISION TO BE PRESENTED TO GRIEVANT

Name of grievant	Date grievance received
------------------	-------------------------

Decision of principal or designee:

___ I lack the authority to grant the relief requested.

Signature of principal or designee	Date
Is the above decision acceptable to grievant?	<u>Check one box</u> Yes No

___ I hereby appeal this decision to Step 3, Superintendent's Level.

Grievant's signature	Date
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SUPERINTENDENT'S LEVEL

STEP 3 – DECISION TO BE PRESENTED TO GRIEVANT

Name of grievant	Date appeal received
------------------	----------------------

Decision of superintendent or designee:

Signature of principal or designee	Date
Is the above decision acceptable to the grievant?	<div style="border-bottom: 1px solid black; display: flex; justify-content: space-between; padding-bottom: 5px;">Check one box</div> <div style="display: flex; justify-content: space-around;">YesNo</div> <div style="text-align: center; margin-top: 10px;"> </div>

___ I hereby appeal this decision.

Grievant's signature	Date
----------------------	------

REQUEST FOR HEARING

STEP 5 – DECISION TO BE PRESENTED TO GRIEVANT

Name of grievant	Date grievance filed
------------------	----------------------

(Check one)

___ I hereby petition the attached grievance be submitted to an advisory fact-finding hearing.

_____ Panel Designee

___ I hereby waive my right to an advisory fact-finding hearing and petition that the following grievance be submitted to the board.

Grievant's signature	Representative's signature
Date	Date

FORMS FOR PART III OF THE PROCEDURE FOR ADJUSTING GRIEVANCES

FORMS FOR PROPOSED DISMISSAL/PROBATION

Enclosed herein are the necessary forms for proposed dismissal/probation proceeding as prescribed in Part III of the procedure enacted by the State Board of Education.

VIRGINIA BOARD OF EDUCATION

**NOTIFICATION: NOTICE OF PROPOSED DISMISSAL OR PROPOSED PLACING
ON PROBATION**

Date

Name of teacher

School/department of assignment

(Check one)

____ The Division Superintendent will recommend to the School Board that you be placed on probation for the period:

_____ to _____
(date) (date)

At your request ~~Reasons~~ for this recommendation will be provided to you in writing or ~~at your request~~ in a personal interview ~~within three (3) days of your request.~~

____ The Division Superintendent will recommend to the School Board that you be dismissed from your position as:

(position)

At your request ~~Reasons~~ for this recommendation will be provided to you in writing or ~~at your request~~ in a personal interview ~~within three (3) days of your request.~~

You have 15 days from receipt of this form to request, in writing, a hearing before the School Board or an advisory fact-finding panel as provided in the procedure. Please advise me as soon as possible whether you wish to have such a hearing (see attached form). Enclosed, for your information, is a copy of the procedure.

Signature of Superintendent

REQUEST FOR HEARING

TO BE SUBMITTED TO SUPERINTENDENT

Name of teacher	Superintendent's proposed action ___ Dismissal ___ Probation
-----------------	--

(Check one)

___ I hereby request that I be afforded an advisory fact-finding hearing on the above referenced matter.

_____ Panel Designee

___ I hereby waive my right to an advisory fact-finding hearing and request that I be afforded a hearing before the School Board on the above referenced matter.

Teacher's signature	Representative's signature
Date	Date

Board of Education Agenda Item

Item: D.

Date: October 28, 2004

Topic: First Review of Textbooks and Instructional Materials for State Adoption in Mathematics, English and Literature, and Foreign Language

Presenter: Dr. Beverly Thurston, Coordinator, History and Social Sciences and Textbook Adoption, Office of Middle Instructional Services

Telephone Number: 804-225-2893 **E-Mail Address:** bthursto@pen.k12.va.us

Origin:

 Topic presented for information only (no board action required)

 X Board review required by
 State or federal law or regulation
 X Board of Education regulation
 Other:

 Action requested at this meeting X Action requested at future meeting: January 12, 2005

Previous Review/Action:

 X No previous board review/action
 Previous review/action
date
action

Background Information:

The Board of Education's authority for approving textbooks and other instructional materials is prescribed in the Virginia Constitution and in the *Code of Virginia*. The Board of Education's Regulations Governing Textbook Adoption 8VAC 20-220-30 specifies the types of materials that may be adopted.

Only those materials which are designed to provide basic support for the instructional program of a particular content area at an appropriate level will be adopted.

“Basal textbook” or “basal instructional materials” are terms often used to describe the types of materials described in 8VAC 20-220-30. These materials may be print and/or electronic. Teachers' use of curricula and instructional materials that are aligned to the Standards of Learning is a major factor contributing to student achievement of the standards.

At its March 27, 2002 meeting, the Board of Education adopted a resolution to allow the Department of Education to proceed with the review of textbooks and instructional materials according to the established process. On March 29, 2002, the department posted Superintendents' Memorandum No. 15, which provided a textbook adoption schedule for statewide adoptions through 2004-2005.

Summary of Major Elements:

In June 2004, committees of Virginia educators received K-12 mathematics, English and literature, and foreign language textbooks and Standards of Learning textbook correlations from publishers. Members of these committees conducted individual analyses of the materials prior to meeting with the full committee. In July 2004, the committees convened in Richmond to reach consensus on their reviews of the submitted materials. The consensus evaluations were shared with publishers, and publishers were given an opportunity to respond to the committees' reviews and recommendations. Requests by publishers for reconsideration were examined carefully prior to the list being submitted to the Board of Education for first review. The Department of Education has included a master list for all recommended and non-recommended textbooks that were reviewed.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education accept for first review the attached list of textbooks and instructional materials recommended for state adoption.

Impact on Resources:

School divisions are provided funding through the Standards of Quality for the purchase of textbooks and instructional materials. The Department of Education administers the state adoption process. This responsibility can be absorbed by the agency's existing resources at this time. If the agency is required to absorb additional responsibilities related to this process, other services may be impacted.

Timetable for Further Review/Action:

Upon acceptance of first review by the Board of Education, a 30-day public comment period will be announced. Mathematics textbook and instructional materials may be reviewed at any of the following nine sites: The College of William and Mary, University of Mary Washington, George Mason University, James Madison University, Radford University, The University of Virginia's College at Wise, Longwood University, Old Dominion University, and the Department of Education. The recommended list will be presented to the Board of Education on January 12, 2005, for final review.

K-12 Mathematics

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Course	Publisher	Title	Copyright
Kindergarten – Grade 1	Wright Group	Growing with Mathematics, Virginia Class Bundle Set, Grades K-1	2002
NOTE: The majority of the K-1 Standards of Learning are covered in this series by the end of grade 1, although not necessarily at the grade level suggested by the standards.			

Course	Publisher	Title	Copyright
Kindergarten – Grade 2	Kendall/Hunt	Math Trailblazers, 2/e, Grades K-2	2004
NOTE: The majority of the K-2 Standards of Learning are covered in this series by the end of grade 2, although not necessarily at the grade level suggested by the standards.			

Course	Publisher	Title	Copyright
Kindergarten – Grade 3	Scott Foresman	Investigations in Number, Data and Space	2004
NOTE: The majority of the K-3 Standards of Learning are covered in this series by the end of grade 3, although not necessarily at the grade level suggested by the standards.			

Course	Publisher	Title	Copyright
Kindergarten - Grade 5	Harcourt School Publishers	Harcourt Math, K-5	2005
	Houghton Mifflin	Houghton Mifflin Math, Levels K-5	2005
	Houghton Mifflin	Houghton Mifflin Math, Levels K-5 eMathBook CD-ROM	2005
	Saxon	Saxon Math	2004

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Course	Publisher	Title	Copyright
Kindergarten - Grade 5 (continued)	Scott Foresman	Scott Foresman- Addison Wesley Mathematics, Virginia Edition	2006
	Wright Group	Everyday Mathematics, Virginia Class Bundle Set, Grades K-5	2004
Grades 1-5	Harcourt School Publishers	Harcourt Math, 1-5 (electronic)	2005
Grade 4	Scott Foresman	Investigations in Number, Data and Space	2004
Grade 6	Glencoe/McGraw Hill	Glencoe Mathematics: Applications and Concepts, Virginia Edition, Course 1	2005
	Glencoe/McGraw Hill	Glencoe Mathematics: Applications and Concepts, Virginia Edition, Course 1 (online)	2005
	Holt, Rinehart and Winston	Holt Virginia Middle School Mathematics, Course 1	2004
	Holt, Rinehart and Winston	Holt Virginia Middle School Mathematics, Course 1, Premier Online	2004

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Course	Publisher	Title	Copyright
Grade 6 (continued)	Houghton Mifflin	Houghton Mifflin Mathematics, Level 6	2005
	Houghton Mifflin	Houghton Mifflin Mathematics, Level 6 eMathBook CD-ROM	2005
	McDougal Littell	McDougal Littell Middle School Mathematics, Course 1	2005
	Prentice Hall	Prentice Hall Mathematics, Course 1	2006
	Prentice Hall	Prentice Hall Mathematics, Course 1 Interactive Textbook	2006
	Scott Foresman	Scott Foresman/ Addison Wesley Mathematics, Virginia Edition	2006
	Wright Group	Everyday Mathematics, Virginia Bundle Set, Grade 6	2004
Grade 7	Glencoe/McGraw Hill	Mathematics: Applications and Concepts, Virginia Edition, Course 2	2005
	Glencoe/McGraw Hill	Mathematics: Applications and Concepts, Virginia Edition, Course 2 (online)	2005
	Glencoe/McGraw Hill	Glencoe Pre-Algebra	2005
	Glencoe/McGraw Hill	Glencoe Pre-Algebra (online)	2005

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Course	Publisher	Title	Copyright
Grade 7 (continued)	Holt, Rinehart and Winston	Holt Middle School Mathematics, Course 2	2003
	Holt, Rinehart and Winston	Holt Middle School Mathematics, Course 2 Premier Online	2003
	McDougal Littell	McDougal Littell Middle School Mathematics, Course 2	2005
	McDougal Littell	McDougal Littell Pre-Algebra	2005
	Prentice Hall	Prentice Hall Connected Mathematics, Grade 7	2004
	Prentice Hall	Prentice Hall Mathematics, Course 2	2006
	Prentice Hall	Prentice Hall Mathematics, Course 2 Interactive Textbook	2006
	Saxon	Saxon Math 8/7	2004
Grade 8	CORD Communications, Inc.	Bridges to Algebra and Geometry, 2nd Edition	2004
	Glencoe/McGraw Hill	Mathematics: Applications and Concepts, Virginia Edition, Course 3	2005
	Glencoe/McGraw Hill	Mathematics: Applications and Concepts, Virginia Edition, Course 3 (online)	2005
	Holt, Rinehart and Winston	Holt Middle School Mathematics, Course 3	2004

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Course	Publisher	Title	Copyright
Grade 8 (continued)	Holt, Rinehart and Winston	Holt Middle School Mathematics, Course 3 Premier Online	2004
	Holt, Rinehart and Winston	Virginia Holt Pre-Algebra	2004
	McDougal Littell	McDougal Littell Middle School Mathematics, Course 3	2005
	McDougal Littell	McDougal Littell Pre-Algebra	2005
	Prentice Hall	Prentice Hall Mathematics, Course 3	2006
	Prentice Hall	Prentice Hall Mathematics, Course 3 Interactive Textbook	2006
	Prentice Hall	Prentice Hall Mathematics Pre-Algebra, Virginia Edition	2006
	Prentice Hall	Prentice Hall Mathematics Pre-Algebra, Virginia Edition Interactive Textbook	2006
Algebra I	CORD Communications, Inc.	Algebra I	2004
	Glencoe/McGraw Hill	Algebra I, Virginia Edition	2005
	Glencoe/McGraw Hill	Algebra I, Virginia Edition (online)	2005
	Glencoe/McGraw Hill	Algebra: Concepts and Applications, Volumes 1 and 2	2005
	Glencoe/McGraw Hill	Algebra: Concepts and Applications, Volumes 1 and 2 (online)	2005

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Course	Publisher	Title	Copyright
Algebra I (continued)	Holt, Rinehart, & Winston	Holt Algebra I	2004
	Key Curriculum Press	Discovering Algebra: An Investigative Approach	2004
	McDougal Littell	Algebra I	2004
	McDougal Littell	Algebra I: Concepts and Skills	2004
	Prentice Hall	Algebra I, Virginia Edition	2006
	Prentice Hall	Algebra I, Virginia Edition Interactive Textbook	2006
Algebra I, Parts 1 and 2	CORD Communications, Inc.	Algebra I	2004
	Glencoe/McGraw Hill	Algebra: Concepts and Applications, Volumes 1 and 2	2005
	Glencoe/McGraw Hill	Algebra: Concepts and Applications, Volumes 1 and 2 (online)	2005
	McDougal Littell	Algebra I: Concepts and Skills, Volumes I and II	2004
Geometry	CORD Communications, Inc.	Geometry	2004
	Glencoe/McGraw Hill	Glencoe Geometry	2005
	Glencoe/McGraw Hill	Glencoe Geometry (online)	2005
	Glencoe/McGraw Hill	Glencoe Geometry: Concepts and Applications, Virginia Edition	2005

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Course	Publisher	Title	Copyright
Geometry (continued)	Glencoe/McGraw Hill	Glencoe Geometry: Concepts and Applications, Virginia Edition (online)	2005
	Holt, Rinehart and Winston	Holt Geometry	2004
	Key Curriculum Press	Discovering Geometry: An Investigative Approach	2004
	McDougal Littell	Geometry	2004
	McDougal Littell	Geometry: Concepts and Skills	2003
	Prentice Hall	Geometry, Virginia Edition	2006
	Prentice Hall	Geometry, Virginia Edition Interactive Textbook	2006
Geometry, Parts 1 and 2	Glencoe/McGraw Hill	Glencoe Geometry: Concepts and Applications, Virginia Edition	2005
	Glencoe/McGraw Hill	Glencoe Geometry: Concepts and Applications, Virginia Edition (online)	2005
	McDougal Littell	Geometry	2004
	McDougal Littell	Geometry: Concepts and Skills	2003
Algebra II	Glencoe/McGraw Hall	Glencoe Algebra 2	2005
	Glencoe/McGraw Hall	Glencoe Algebra 2 (online)	2005
	McDougal Littell	Algebra 2	2004
	Holt, Rinehart, and Winston	Algebra 2	2004

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Course	Publisher	Title	Copyright
Algebra II (continued)	Prentice Hall	Algebra 2, Virginia Edition	2006
	Prentice Hall	Algebra 2, Virginia Edition Interactive Textbook	2006
Algebra II and Trigonometry	McDougal Littell	McDougal Littell Algebra 2	2004
Algebra 1/Geometry (3-year sequence)	Glencoe/McGraw Hill	Contemporary Mathematics in Context Courses 1-3	2003

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Course	Publisher	Title	Copyright
Grade 2	Wright Group	Growing with Mathematics, Virginia Class Bundle Set, Grade 2	2002
Grade 3	Kendall/Hunt	Math Trailblazers, 2/e, Grade 3	2004
	Wright Group	Growing with Mathematics, Virginia Class Bundle Set, Grade 3	2002
Grade 4	Kendall/Hunt	Math Trailblazers, 2/e, Grade 4	2004
	Wright Group	Growing with Mathematics Virginia Class Bundle Set, Grade 4	2002
Grade 5	Kendall/Hunt	Math Trailblazers, 2/e, Grade 5	2004
	Scott Foresman	Investigations in Number, Data and Space	2004
	Wright Group	Growing with Mathematics, Virginia Class Bundle Set, Grade 5	2002
Grade 6	Holt, Rinehart and Winston	Mathematics in Context	2003
	Prentice Hall	Connected Mathematics Program, Grade 6	2004
	Saxon	Saxon Math 7/6	2004
Grade 7	Holt, Rinehart and Winston	Mathematics in Context, Grade 7	2003
Grade 8	Holt, Rinehart and Winston	Mathematics in Context, Grade 8	2003
	Prentice Hall	Connected Mathematics Program, Grade 8	2004
	Saxon	Algebra 1/2	2004

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Course	Publisher	Title	Copyright
Algebra I	Saxon	Algebra I: An Incremental Development	2003
Algebra I, Parts 1 and 2	It's About Time, Herff-Jones Educational Division	Math Connections, 1A and 1B	2000
Algebra II	Glencoe/McGraw Hill	Contemporary Mathematics in Context	2003
	Key Curriculum Press	Discovering Advanced Algebra: An Investigative Approach	2004
	Saxon	Algebra 2: An Incremental Development	2003
Algebra II with Trigonometry	Thomson Learning	Algebra with Trigonometry for College Students	2002

6-12 English and Literature

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Grade Level/ Strand	Publisher	Title	Copyright
Sixth Grade/ Literature	EMC Paradigm	The EMC Masterpiece Series, Literature and the Language Arts, Discovering Literature	2003
	Holt, Rinehart and Winston	Elements of Literature, Introductory Course	2005
	McDougal Littell	Bridges to Literature, Level I	2002
	McDougal Littell	The Language of Literature, Grade 6	2004/2002
	Prentice Hall	Timeless Voices, Timeless Themes, Copper, Student Edition	2005
Sixth Grade/ Bundles Literature with Writing (2 books per bundle)	Holt, Rinehart, and Winston	Elements of Literature, Introductory Course and Elements of Language, Introductory Course	2005/2004
	Prentice Hall	Timeless Voices, Timeless Themes, Copper and Writing and Grammar Communication in Action	2005
Sixth Grade/ Reading	Globe Fearon	Be a Better Reader, Level C	2003
	Great Source Education	Reader's Handbook	2002
	Scott Foresman	Scott Foresman Reading 2004, Pupil Edition	2004
Sixth Grade/ English	Holt, Rinehart, and Winston	Elements of Language, Introductory Course	2004
	McDougal Littell	Language Network, Grade 6	2004/2001
	Prentice Hall	Writing and Grammar Communication in Action, Copper, Student Edition	2004
	Prentice Hall	Writing and Grammar Communication in Action, Copper, Handbook, Grade 6	2004
	Prentice Hall	Writing and Grammar Communication in Action, Copper, Interactive Text	2004

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Grade Level/ Strand	Publisher	Title	Copyright
Seventh Grade/ Literature	EMC Paradigm	The EMC Masterpiece Series, Literature and the Language Arts, Discovering Literature	2003
	Holt, Rinehart and Winston	Elements of Literature, First Course	2005
	McDougal Littell	Bridges to Literature, Level II	2002
	McDougal Littell	The Language of Literature, Grade 7	2004/2002
	Prentice Hall	Timeless Voices, Timeless Themes, Bronze Student Edition	2005
Seventh Grade/ Bundles Literature with Writing (2 books per bundle)	Holt, Rinehart, and Winston	Elements of Literature, First Course and Elements of Language, First Course,	2005/2004
	Prentice Hall	Timeless Voices, Timeless Themes, Bronze and Writing and Grammar Communication in Action	2005
Seventh Grade/ Reading	Globe Fearon	Be a Better Reader, Level D	2003
	Great Source Education	Reader's Handbook	2002
Seventh Grade/ English	Holt, Rinehart, and Winston	Elements of Language, First Course	2004
	McDougal Littell	Language Network, Grade 7	2004/2001
	Prentice Hall	Writing and Grammar Communication in Action, Bronze, Student Edition	2004
	Prentice Hall	Writing and Grammar Communication in Action, Bronze, Handbook, Grade 7	2004
	Prentice Hall	Writing and Grammar Communication in Action, Bronze, Interactive Text	2004

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Grade Level/ Strand	Publisher	Title	Copyright
Eighth Grade/ Literature	EMC Paradigm	The EMC Masterpiece Series, Literature and the Language Arts, Discovering Literature	2003
	Holt, Rinehart and Winston	Elements of Literature, Second Course	2005
	McDougal Littell	Bridges to Literature, Level III	2002
	McDougal Littell	The Language of Literature, Grade 8	2004/2002
	Prentice Hall	Timeless Voices, Timeless Themes, Silver Student Edition	2005
Eighth Grade/ Bundles Literature with Writing (2 books per bundle)	Holt, Rinehart, and Winston	Elements of Literature, Second Course and Elements of Language, Second Course	2005/2004
	Prentice Hall	Timeless Voices, Timeless Themes, Silver and Writing and Grammar Communication in Action	2005
Eighth Grade/ Reading	Globe Fearon	Be a Better Reader, Level E	2003
	Great Source Education	Reader's Handbook	2002
	Peoples Publishing	Measuring Up to the Virginia Standards of Learning Level H	2004
Eighth Grade/ English	Holt, Rinehart, and Winston	Elements of Language, Second Course	2004
	McDougal Littell	Language Network, Grade 8	2004/2001
	Prentice Hall	Writing and Grammar Communication in Action, Silver, Student Edition	2004
	Prentice Hall	Writing and Grammar Communication in Action, Silver, Handbook, Grade 8	2004
	Prentice Hall	Writing and Grammar Communication in Action, Silver, Interactive Text	2004

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Grade Level/ Strand	Publisher	Title	Copyright
Ninth Grade/ Literature	EMC Paradigm	The EMC Masterpiece Series, Literature and the Language Arts, Experiencing Literature	2003
	Holt, Rinehart and Winston	Elements of Literature Third Course	2005
	McDougal Littell	The Language of Literature, Grade 9	2004/2002
	Prentice Hall	Timeless Voices, Timeless Themes, Gold Student Edition	2004
Ninth Grade/ Bundles of Literature with Writing (2 books per bundle)	Holt, Rinehart, and Winston	Elements of Literature, Fourth Course and Elements of Language, Third Course	2005/2004
	Prentice Hall	Timeless Voices, Timeless Themes, Gold and Writing and Grammar Communication in Action	2005
Ninth Grade/ English	Great Source Education	Writer's INC	2001
	Holt, Rinehart, and Winston	Elements of Language, Third Course	2004
	McDougal Littell	Language Network, Grade 9	2004/2001
	Prentice Hall	Writing and Grammar Communication in Action, Gold, Student Edition	2004
	Prentice Hall	Writing and Grammar Communication in Action, Gold, Handbook, Grade 9	2005
	Prentice Hall	Writing and Grammar Communication in Action, Gold, Interactive Text	2004
	Thomson Learning	Hodges Harbrace Handbook 15E	2004

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Grade Level/ Strand	Publisher	Title	Copyright
Tenth Grade/ Literature	EMC Paradigm	The EMC Masterpiece Series, Literature and the Language Arts, Understanding Literature	2003
	Holt, Rinehart and Winston	Elements of Literature, Fourth Course	2005
	McDougal Littell	The Language of Literature, World Literature	2004/2002
	Prentice Hall	Timeless Voices, Timeless Themes, Platinum Student Edition	2004
	Prentice Hall	Timeless Voices, Timeless Themes, World Masterpieces, Student Edition	2004
Tenth Grade/ Bundles Literature with Writing (2 books per bundle)	Holt, Rinehart, and Winston	Elements of Literature, Fourth Course and Elements of Language, Fourth Course	2005
	Prentice Hall	Timeless Voices, Timeless Themes, Platinum and Writing and Grammar Communication in Action	2005
	Prentice Hall	Timeless Voices, Timeless Themes, World Masterpieces and Writing and Grammar Communication in Action	2005
Tenth Grade/ English	Great Source Education	Writer's INC	2001
	Holt, Rinehart, and Winston	Elements of Language, Fourth Course	2004
	McDougal Littell	Language Network, Grade 10	2004/2001
	Prentice Hall	Writing and Grammar Communication in Action, Platinum, Student Edition	2004
	Prentice Hall	Writing and Grammar Communication in Action, Platinum, Handbook, Grade 10	2005
	Prentice Hall	Writing and Grammar Communication in Action, Platinum, Interactive Text	2004
	Thomson Learning	Hodges Harbrace Handbook 15E	2004

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Grade Level/ Strand	Publisher	Title	Copyright
Eleventh Grade/ Literature	EMC Paradigm	The EMC Masterpiece Series, Literature and the Language Arts, The American Tradition	2003
	Holt, Rinehart and Winston	Elements of Literature, Essentials of American Literature, Fifth Course	2005
	McDougal Littell	The Language of Literature, Grade 11	2004/2002
	Prentice Hall	Timeless Voices, Timeless Themes, American Experience Student Edition	2004
Eleventh Grade/ Bundles Literature and Writing (2 books per bundle)	Holt, Rinehart, and Winston	Elements of Literature, Fifth Course and Elements of Language, Fifth Course	2005/2004
	Prentice Hall	Timeless Voices, Timeless Themes, American Experience and Writing and Grammar Communication in Action	2005
Eleventh Grade/ English	Great Source Education	Writer's INC	2001
	Holt, Rinehart, and Winston	Elements of Language, Fifth Course	2004
	McDougal Littell	Language Network, Grade 11	2004/2001
	Prentice Hall	Writing and Grammar Communication in Action, Ruby, Student Edition	2004
	Prentice Hall	Writing and Grammar Communication in Action, Ruby, Handbook, Grade 11	2005
	Prentice Hall	Writing and Grammar Communication in Action, Ruby, Interactive Text	2004
	Thomson Learning	Hodges Harbrace Handbook 15E	2004
	Thomson Learning	Hodges Harbrace Handbook 2E	2004

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Twelfth Grade/ Literature	EMC Paradigm	The EMC Masterpiece Series, Literature and the Language Arts, The British Tradition	2003
	Holt, Rinehart and Winston	Elements of Literature, Essentials of British and World Literature, Sixth Course	2005
	McDougal Littell	The Language of Literature, Grade 12	2004/2002
	Prentice Hall	Timeless Voices, Timeless Themes, British Tradition, Student Edition	2004
Twelfth Grade/ Bundles Literature with Writing	Holt, Rinehart, and Winston	Elements of Literature, Sixth Course and Elements of Language, Sixth Course	2005/2004
	Prentice Hall	Timeless Voices, Timeless Themes, British Tradition and Writing and Grammar Communication in Action	2005
Twelfth Grade/ English	Great Source Education	Writer's INC	2001
	Holt, Rinehart, and Winston	Elements of Language, Sixth Course	2004
	McDougal Littell	Language Network, Grade 12	2004/2001
	Prentice Hall	Writing and Grammar Communication in Action, Diamond, Student Edition	2004
	Prentice Hall	Writing and Grammar Communication in Action, Diamond, Handbook Grade 12	2005
	Prentice Hall	Writing and Grammar Communication in Action, Diamond, Interactive Text	2004
	Thomson Learning	Hodges Harbrace Handbook 15E	2004
	Thomson Learning	Hodges Harbrace Handbook 2E	2004

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Grade Level/ Strand	Publisher	Title	Copyright
Sixth Grade/ English	Zaner-Bloser	Strategies for Writers	2003
Seventh Grade/ English	Jireh	Integrated Language Arts and Social Studies Program	1998/2003
Seventh Grade/ English	Zaner-Bloser	Strategies for Writers	2003
Eighth Grade/ English	Zaner-Bloser	Strategies for Writers	2003

Foreign Language

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Title	Publisher	Copyright
French I		
C'est à toi! Level One	EMC/Paradigm	2002
Glencoe French 1: Bon voyage!	Glencoe/McGraw-Hill	2005
Holt French 1A, Allez,viens! En avant!	Holt, Rinehart and Winston	2006
Holt French 1B, Allez,viens! En route!	Holt, Rinehart and Winston	2006
Holt French 1, Allez, viens!	Holt, Rinehart and Winston	2006
Discovering French, Nouveau! Première Partie: Level 1a (Virginia Bundle: Discovering French, Nouveau! Première Partie: Level 1a Teacher's Edition and Audio CD Program)	McDougal Littell	2004
Discovering French, Nouveau! Deuxième Partie: Level 1b (Virginia Bundle: Discovering French, Nouveau! Deuxième Partie: Level 1b Teacher's Edition and Audio CD Program)	McDougal Littell	2004
Discovering French, Nouveau! Bleu: Level 1 (Virginia Bundle: Discovering French, Nouveau! Level 1 Teacher's Edition and Audio CD Program)	McDougal Littell	2004
French II		
C'est à toi! Level Two	EMC/Paradigm	2002
Glencoe French 2: Bon voyage!	Glencoe/McGraw-Hill	2005
Holt French 2, Allez, viens!	Holt, Rinehart and Winston	2006
Discovering French, Nouveau! Bleu: Level 2 (Virginia Bundle: Discovering French, Nouveau! Level 2 Teacher's Edition and Audio CD Program)	McDougal Littell	2004
French III		
C'est à toi! Level Three	EMC/Paradigm	2002
Glencoe French 3: Bon voyage!	Glencoe/McGraw-Hill	2005
Holt French 3, Allez, viens!	Holt, Rinehart and Winston	2006
Discovering French, Nouveau! Bleu: Level 3 (Virginia Bundle: Discovering French, Nouveau! Level 3 Teacher's Edition and Audio CD Program)	McDougal Littell	2004

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Title	Publisher	Copyright
French IV		
Trésors du Temps	Glencoe/McGraw-Hill	2005
Interaction 6E	Thomson Learning	2003
Bravo 4E	Thomson Learning	2002
Quant à Moi	Thomson Learning	2005

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Title	Publisher	Copyright
German I		
Deutsch Aktuell 1	EMC/Paradigm	2004
Holt German 1, Komm mit! Virginia Student Edition Package (Student Edition print and on CD-ROM)	Holt, Rinehart and Winston	2006
Auf Deutsch! Level 1 Eins (Virginia Bundle: Auf Deutsch! Level 1 Eins Teacher's Edition and Audio CD Program)	McDougal Littell	2004/2001
Wie Geht's 7E	Thomson Learning	2003
German II		
Deutsch Aktuell 2	EMC/Paradigm	2004
Holt German 2, Komm mit! Virginia Student Edition Package (Student Edition print and on CD-ROM)	Holt, Rinehart and Winston	2006
Auf Deutsch! Level 2 Zwei (Virginia Bundle: Auf Deutsch Level 2 Zwei Teacher's Edition and Audio CD Program)	McDougal Littell	2004/2001
Wie Geht's 7E	Thomson Learning	2003
German III		
Deutsch Aktuell 3	EMC/Paradigm	2005
Holt German 3, Komm mit! Virginia Student Edition Package (Student Edition print and on CD-ROM)	Holt, Rinehart and Winston	2006
Auf Deutsch! Level 3 Drei (Virginia Bundle: Auf Deutsch Level 3 Drei Teacher's Edition and Audio CD Program)	McDougal Littell	2004/2001

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Title	Publisher	Copyright
Spanish I		
Navegando 1A	EMC/Paradigm	2005
Navegando 1B	EMC/Paradigm	2005
Navegando 1	EMC/Paradigm	2005
Glencoe Spanish 1: Buen Viaje!	Glencoe/McGraw-Hill	2005
Holt Spanish 1A, ¡Exprésate!	Holt, Rinehart and Winston	2006
Holt Spanish 1B, ¡Exprésate!	Holt, Rinehart and Winston	2006
Holt Spanish 1, ¡Exprésate!	Holt, Rinehart and Winston	2006
¡En español! Level 1a (Virginia Bundle: ¡En español! Level 1a Teacher's Edition and Audio CD Program)	McDougal Littell	2004
¡En español! Level 1b (Virginia Bundle: ¡En español! Level 1b Teacher's Edition and Audio CD Program)	McDougal Littell	2004
¡En español! Level 1 (Virginia Bundle: ¡En español! Level 1 Teacher's Edition and Audio CD Program)	McDougal Littell	2004
Realidades, A Student Edition	Prentice Hall	2004
Realidades, A Interactive Text	Prentice Hall	2004
Realidades, B Student Edition	Prentice Hall	2004
Realidades, B Interactive Text	Prentice Hall	2004
Realidades, 1 Student Edition	Prentice Hall	2004
Realidades, 1 Interactive Text	Prentice Hall	2004
Spanish II		
Navegando 2	EMC/Paradigm	2005
Glencoe Spanish 2: Buen Viaje!	Glencoe/McGraw-Hill	2005
Holt Spanish 2, ¡Exprésate!	Holt, Rinehart and Winston	2006
¡En español! Level 2 (Virginia Bundle: ¡En español! Level 1 Teacher's Edition and Audio CD Program)	McDougal Littell	2004
Realidades, 2 Student Edition	Prentice Hall	2004
Realidades, 2 Interactive Text	Prentice Hall	2004

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Title	Publisher	Copyright
Spanish III		
Navegando 3	EMC/Paradigm	2005
Glencoe Spanish 3: Buen Viaje!	Glencoe/McGraw-Hill	2005
Holt Spanish 3, ¡Exprésate!	Holt, Rinehart and Winston	2006
¡En español! Level 3 (Virginia Bundle: ¡En español! Level 1 Teacher's Edition and Audio CD Program)	McDougal Littell	2004
Realidades, 3 Student Edition	Prentice Hall	2004
Realidades, 3 Interactive Text	Prentice Hall	2004
Spanish IV		
Galería de arte y vida	Glencoe/McGraw-Hill	2005
Holt Advanced Spanish, Nuevas Vistas Curso de introducción, Virginia Student Edition Package (Student Edition Print and on CD-ROM)	Holt, Rinehart and Winston	2006
Pasaporte al mundo 21 ¡En español! Level 4 (Virginia Bundle: Pasaporte al mundo 21 ¡En español! 4 Teacher's Edition and Audio CD Program)	McDougal Littell	2004
Conexiones, Comunicación y cultura Student Edition	Prentice Hall	2005
Encuentros maravillosos, Gramática a través de la literatura Student Edition	Prentice Hall	2005
Abriendo paso, Lectura and Abriendo paso, Gramática Student Editions (bundle)	Prentice Hall	2005
Momentos cumbres de las literaturas hispánicas Student Edition	Prentice Hall	2004
De Paseo 3E	Thomson Learning	2005
Conversación Y Repaso 8E: Set of 3 books	Thomson Learning	2004
Civilización Y Cultura	Thomson Learning	2004
Literatura Y Arte	Thomson Learning	2005
En Contacto: Set of 2: Lecturas 7E y Gramática 7E	Thomson Learning	2003

Foreign Language Textbooks and Instructional Materials
Virginia Department of Education
Recommended List
October 28, 2004

Title	Publisher	Copyright
Latin I		
Cambridge Latin Course Units 1 and 2	Cambridge	2001
Latin for Americans, Level 1	Glencoe/McGraw-Hill	2003
Ecce Romani, Level I Student Edition	Prentice Hall	2005
Latin II		
Cambridge Latin Course Unit 3	Cambridge	2002
Latin for Americans, Level 2	Glencoe/McGraw-Hill	2003
Ecce Romani, Level II Student Edition	Prentice Hall	2005
Latin III		
Cambridge Latin Course Unit 4	Cambridge	2003
Latin for Americans, Level 3	Glencoe/McGraw-Hill	2003
Ecce Romani, Level III Student Edition	Prentice Hall	2005
Latin IV		
A Song of War, Readings From Vergil's Aeneid Student Edition	Prentice Hall	2004

Board of Education Agenda Item

Item: E.

Date: October 28, 2004

Topic: First Review of Additions to the Board-Approved List of Instructional Models/Programs that Include Instructional Methods to Satisfy Provisions in *Regulations Establishing Accrediting Standards for Public Schools in Virginia*

Presenter: Mrs. Maureen B. Hjar, Director of Secondary Instruction

Telephone Number: (804) 225-2880 **E-Mail Address:** mhjar@mail.vak12ed.edu

Origin:

 Topic presented for information only (no board action required)

 X Board review required by

 State or federal law or regulation

 X Board of Education regulation

 Other:

 Action requested at this meeting

 X Action requested at future meeting: November 17, 2004

Previous Review/Action:

 X No previous board review/action

 Previous review/action date

Background Information:

At the January 6, 2003, Board of Education meeting, revisions to the criteria for identifying and selecting models/programs that include instructional methods as provided in 8 VAC 20-131-310 B-E were approved. The revisions are based on the *No Child Left Behind Act of 2001(NCLB)* emphasis on the use of scientifically-based research as a criterion for evaluating programs, particularly those programs purchased with federal funds. The revised criteria are:

Criteria for Recommended Models/Programs

- 1. Scientifically-based evidence of effectiveness:** The effectiveness of models/programs is justified based on scientific research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge on the models/programs. The major components of the model/program include instructional methods and practices that have been verified through scientifically-based research. The research that documents improvement in student achievement has presented convincing evidence that the observed results were based on the model/program intervention. The model's/program's effectiveness in improving student achievement has been demonstrated in Virginia and is based on effective research-based strategies. Gains in student achievement on Virginia's Standards of Learning tests have been sustained over time.

2. **Implementation and capacity for technical assistance:** The model/program has explained the essential ingredients necessary to make the program fully operational, including estimates of the costs, with respect to time and money, and the requirements for implementation. The program managers have described in detail their capacity, in terms of technical assistance, to provide the staff development, consultation, and support necessary for successful implementation in a number of Virginia schools.
3. **Replicability:** The model's/program's effectiveness has been demonstrated through multiple investigations in numerous locations with low-achieving students.
4. **Correlation with or adaptability to the Virginia Standards of Learning in English or mathematics:** The content of the model/program correlates with the Virginia Standards of Learning in English or mathematics or the model/program can be adapted to the Virginia Standards of Learning.

At the February 26, 2004, Board of Education meeting, revisions to the disclaimers for identifying and selecting models/programs that include instructional methods as provided in 8 VAC 20-131-310 B-E were approved. The revised disclaimers are:

Disclaimers:

1. Recommendation of instructional methods or models/programs with a proven track record is not intended as a guarantee that the program will be successful as implemented in a particular school. Prior to or concurrently with adopting any model/program, a school is expected to align its curriculum with the Standards of Learning. School divisions are permitted to choose instructional methods or models/programs that are not recommended so long as they meet the Board of Education's criteria. School divisions selecting this option must submit for approval, on forms provided by the Department of Education, documentation that the instructional methods or models/programs chosen meet the board's criteria prior to implementation.
2. Some of the instructional models/programs have an associated textbook that may not be on the list of instructional materials reviewed or recommended as part of the state textbook adoption process. Recommendation of a model or instructional method should not be interpreted as endorsement of the associated textbook materials. Before adopting any model/program with associated materials, the school should determine whether there is sufficient Standards of Learning correlation for the grade level or course where the method will be used.
3. Products and services on the list may not be available in all areas of the commonwealth. School divisions are responsible for negotiating contracts with vendors for products or services.

Summary of Major Elements:

The Board of Education established that there would be a quarterly review of instructional models/programs to satisfy the provisions of the *Regulations Establishing Accrediting Standards for Public Schools in Virginia*. Attached is a list of proposed additional models/programs for the Board of Education's consideration.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education accept for first review the proposed additions to the list of board-approved instructional models/programs.

Impact on Resources:

Adoption of instructional models/programs to meet the provisions of 8 VAC 20-131-310 B and D shall be funded by eligible local, state, and federal funds. The Department of Education reviews and evaluates instructional models/programs submitted for inclusion in the board's list. This impact can be absorbed by the agency's existing resources at this time. If the agency is required to absorb additional responsibilities related to this review and evaluation, other services may be impacted.

Timetable for Further Review/Action:

Proposed changes to the list of approved instructional models/programs will be presented for final review at the November 17, 2004, Board of Education meeting.

Proposed Additions
Virginia Board of Education Approved Models/Programs that Include Instructional Methods That Have
Proven to Be Successful with Low-Achieving Students
October 28, 2004

Mathematics

Model/Program	K - 3	4 - 8	9 - 12
Supplemental/Intervention:			
Math Buddies	X (Grade 3)	X (Grades 4-5)	

English/Reading

Model/Program	K - 3	4 - 8	9 - 12
Supplemental/Intervention:			
Mondo Publishing: Bookshop	X		

Math Buddies

IN BRIEF

Developer	Dr. Carol Rezba, Longwood University
Year Established	2001
# Schools Served	25
Level	3-5
Primary Goal	To assist students in mastering the mathematics concepts and skills related to the Virginia Standards of Learning and to increase their understanding and enjoyment of mathematics.
Main Features	<i>Math Buddies</i> trains tutors to instruct third and fifth grade students in mathematics skills and concepts related to Virginia Standards of Learning. Tutors provide instruction through “hands-on”/ “minds-on” activities involving problem solving, mathematics manipulatives, and games, and then check for understanding through a variety of SOL assessments.
Results	<i>Math Buddies</i> has consistently increased the SOL scores of students in third and fifth grade mathematics tests; effects have been even more pronounced for students in the bottom quartile.
Impact on Instruction	<i>Math Buddies</i> has prescribed curriculum that can be delivered by tutors.
Impact on Organizational Staffing	None
Impact on Schedule	Daily mathematics periods are scheduled.
Subject-Area Programs Provided by Developer	Yes, mathematics
Students Served	
Title I	Yes
English-language learners	Yes
Urban	Yes
Rural	Yes
Parental Involvement	None
Technology	None
Materials	Detailed materials are provided.

Origin/Scope

The program was initiated by Dr. Carol Rezba of Longwood University. Virginia mathematics specialists produced 20 tutoring lessons for grade 3 and for grade 5 through a grant funded by the Virginia Business Education Partnership.

General Description

Community volunteers and/or tutors instruct third and fifth grade students in mathematics skills and concepts related to the Virginia Standards of Learning. They provide instruction through “hands-on”/ “minds-on” activities involving problem solving, mathematics manipulatives (hands-on materials) and games, and then check for understanding through a variety of SOL assessments. Scripted lessons are provided for the volunteers/tutors who work with two students during each lesson. During the lesson, students use their activity books and the related mathematics manipulatives and games that are organized for each lesson in expandable file folders and stored in accessible file cabinets. An on-site *Math Buddies* coordinator maintains these materials and the assessment documentation.

Math Buddies Program Objectives

- To assist students in mastering the mathematics concepts and skills related to the Virginia Standards of Learning and to increase their understanding and enjoyment of mathematics
- To support educators in raising students' mathematics performance on the Virginia SOL tests
- To provide opportunities for volunteers to serve as tutors and role models to students
- To strengthen school/community relationships and communication

On-Site Coordinator's Role in Math Buddies

- To work with classroom teachers in the school in the identification of grade 3 and 5 students for participation in the program
- To work with the administration in recruiting volunteers/tutors from their school's partnerships and other support services
- To pair volunteers/tutors with students for tutoring, and to arrange a weekly time (during or after school) and an in-school location where the tutoring will take place
- To manage the *Math Buddies* tutorial materials, distributing them to the volunteers/tutors and students using a variety of prescribed sequences
- To maintain simple data/records tracking volunteer/tutor participation and student progress
- To provide data to stakeholders about the success of *Math Buddies*

Math Buddies Training

- A Longwood University mathematics educator will conduct workshops in which on-site coordinators and volunteers/tutors are trained to use *Math Buddies* instructional program materials and in the use of hands-on math manipulatives and games.

For more information, contact:

Dr. Carol Rezba

Phone: 804-745-4144

E-mail: math_buddies@comcast.net

E-mail: crezba@longwood.edu

Mondo Publishing: Bookshop

IN BRIEF

Developer	Mondo Publishing
Year Established	2002
# Schools Served	Several thousand elementary schools
Level	K-3
Primary Goal	<i>Bookshop</i> is based on the premise that effective teaching is structured, focused, and centered on the individual needs of the student. Each component of <i>Bookshop</i> is designed to support the five critical aspects of reading: Phonemic Awareness, Phonics, Vocabulary, Text Comprehension, and Fluency.
Main Features	<p><i>Bookshop</i> provides teachers with a framework of research-validated instructional strategies and explicit teaching focuses appropriate for each developmental stage of reading.</p> <p><i>Bookshop</i> provides teachers with manageable assessment tools and a clearly defined instructional sequence for the varied range of literacy skills within each classroom.</p> <p><i>Bookshop</i> incorporates the National Reading Panel's five aspects of reading into each of the lesson plans. Phonemic Awareness, Phonics, Vocabulary, Fluency, and Text Comprehension form the foundation of all learning within <i>Bookshop</i>.</p> <p><i>Bookshop</i> offers a range of texts and literacy materials to meet the needs and interests of students. Student books represent a wide range of genres, both fiction and nonfiction, in a range of text levels, sizes, and formats.</p>
Results	<p>BEL/Bookshop Research Project</p> <p>This evaluation study, involving both trial and control schools, was conducted over the 1998-99 and 1999-2000 school years by Dr. Angela Jaggar, School of Education, New York University and Professor Peter Hill, Center for Applied Educational Research, The University of Melbourne. The study found that BEL/Bookshop students outperformed the control group in these critical literacy skills: Benchmark Text Levels, Sounds-in Word, Letter-Sound, Print Concepts, World Test, and Oral Language.</p> <p>Independent Review of the BEL/Bookshop</p>

	<p>Research Study Senior Researcher Jon Supovitz, Center for Policy Research in Education, University of Pennsylvania, independently reviewed the BEL/Bookshop. Supovitz states that the study is “a solid piece of research that provides important evidence of the effectiveness of the program on student reading performance. Hill and Jaggar’s study shows statistically significant positive effects of BEL/Bookshop for students.”</p> <p>Standardized Reading Test Outcomes in Large, Urban Districts <i>Bookshop</i> has been used extensively in Bronx, New York, and Palm Beach County, FL, where schools achieved average yearly improvements of over 4.5 percent sustained over several years.</p>
Impact on Instruction	<i>Bookshop</i> has prescribed curriculum based on student needs.
Impact on Organizational Staffing	None
Impact on Schedule	Daily reading periods are scheduled.
Subject-Area Programs Provided by Developer	Yes, mathematics
Students Served	
Title I	Yes
English-language learners	Yes
Urban	Yes
Rural	Yes
Parental Involvement	None
Technology	Computers
Materials	Detailed materials are provided.

Origin/Scope

Bookshop is a scientifically research-based, research-validated reading program for Grades K-3. It combines high-quality student materials with explicit teacher-resource materials.

General Description

All *Bookshop* materials have been developed to support classroom teachers in achieving the mission of helping all students become successful readers and writers. *Bookshop* is based on the premise that effective teaching is structured, focused, and centered on the individual needs of the student. Each component of *Bookshop* is designed to support the five critical aspects of reading: Phonemic Awareness, Phonics, Vocabulary, Text Comprehension, and Fluency. *Bookshop*’s engaging student materials coupled with explicit and systematic teacher materials provide educators with the necessary tools to meet the literacy needs of all their students.

For more information, contact:

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Board of Education Agenda Item

Item: _____ F. _____

Date: October 28, 2004

Topic: First Review of Additions to the Board-Approved List of Supplemental Educational Services Providers Under the *No Child Left Behind Act of 2001*

Presenter: Ms. Brenda A. Spencer, Title I Coordinator

Telephone Number: 804-371-6201

E-Mail Address: bspencer@mail.vak12ed.edu

Origin:

_____ Topic presented for information only (no board action required)

 x Board review required by

 x State or federal law or regulation

_____ Board of Education regulation

_____ Other: _____

 x Action requested at this meeting _____ Action requested at future meeting: _____ (date)

Previous Review/Action:

_____ No previous board review/action

 x Previous review/action

date September 26, 2002; February 26, 2003; May 28, 2003; July 23, 2003; September 17, 2003; October 22, 2003; November 19, 2003; January 7, 2004; and April 28, 2004

action Approved initial list of Supplemental Educational Services Providers and revised list

Background Information: The *No Child Left Behind Act of 2001* (NCLB) requires Title I schools that do not meet the state's Adequate Yearly Progress (AYP) targets for three consecutive years in the same subject area to offer a choice of supplemental educational services to parents of eligible children. Virginia has schools that are offering or are continuing to offer supplemental educational services during the 2004-2005 school year. These services must be offered to eligible students until the identified schools exit Title I School Improvement.

The *No Child Left Behind Act of 2001* requires states to identify and maintain a list of supplemental educational services providers. Supplemental educational services are tutoring and academic enrichment services that are provided in addition to daily instruction and that are provided outside of the regular school day. A supplemental educational services provider can be a non-profit entity, a for-profit agency, or another school division. The services must be of high quality, research-based, and specifically designed to increase the academic achievement of eligible children in mastering the English and Mathematics Standards of Learning and in achieving proficiency on Standards of Learning tests. NCLB requires that states maintain an approved list of supplemental educational services providers across the state and by school division from which parents can select.

Summary of Major Elements: On July 25, 2002, the Board of Education adopted the NCLB criteria for the approval of supplemental educational services providers. The criteria specified that providers:

- demonstrate the ability to provide parents and the local education agency (LEA) with information on the progress of children in a format and language that parents can understand;
- document a track record of effectiveness;
- ensure that the instruction provided and the content used are consistent with the instruction and content used by the LEA and are aligned with the state's student academic achievement standards;
- meet all federal, state, and local health and safety and civil rights laws;
- ensure that all instruction and content are neutral and non-ideological; and
- offer services within a financially sound management structure.

The department has received applications in response to the Request for Proposals (RFP) from potential supplemental educational services providers. The Board of Education, at its September 2002 meeting, approved the initial list of recommended supplemental educational services providers and recommended revisions to the list in subsequent meetings. As shown below, the department recommends adding five prospective providers to Virginia's board-approved list. Provider contact information is attached.

PROVIDER	FOCUS AREA AND GRADE LEVEL	SERVICE AREA
Boys and Girls Clubs of Metro Richmond in partnership with Compass Learning, Inc.	Mathematics Reading/Language Arts (K-8)	Chesterfield Hanover Henrico Hopewell Petersburg Richmond City
Camelot Learning	Mathematics (3-6)	All divisions
KidBiz3000	Reading (K-12)	All divisions
Porter Education and Communications, Inc.	Mathematics Reading (K-12)	Petersburg Portsmouth Norfolk Richmond City Virginia Beach
Science Museum of Virginia	Mathematics (PreK-2)	All divisions

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education waive first review and add the five providers to the board-approved list.

Impact on Resources: School divisions with identified Title I schools in School Improvement are required to set aside an amount equal to 20 percent of the local educational agency's Title I, Part A, allocation for the provision of supplemental educational services and other Title I School Improvement requirements, as appropriate.

Timetable for Further Review/Action: The solicitation and review of potential supplemental educational services providers are ongoing.

ADDITIONAL SUPPLEMENTAL EDUCATIONAL SERVICES PROVIDERS

Recommended: October 28, 2004

Name of Provider	Contact Information	Focus Area and Grade Levels	School Divisions Provider Can Serve (or service areas)
<i>Boys and Girls Clubs of Metro Richmond in partnership with Compass Learning, Inc.</i> 2601 W. Broad Street, 2 nd Fl. Richmond, VA 23220-1930	Floyd A. Johnson, President/CEO phone: 804-359-5250 Ext. 224 fax: 804-353-5750 e-mail: fjohnson@bgcmr.org Web site: www.bgcmr.org	Mathematics Reading/ Language Arts (K-8)	Chesterfield Hanover Henrico Hopewell Petersburg Richmond City
<i>Camelot Learning</i> 407 West Pennsylvania Ave. Towson, MD 21204	Donna Flynn, Executive Director phone: 410-825-2955 800-214-2404 fax: 410-825-6304 e-mail: dflynn@camelotlearning.com Web site: www.camelotlearning.com	Mathematics (3-6)	All divisions
<i>KidBiz3000</i> 1091 River Avenue Suite L Lakewood, NJ 08701	Stephanie Fallon phone: 888-968-6822 Ext.124 fax: 732-367-2313 e-mail: Stephanie.fallon@Achieve3000.com Web site: www.achieve3000.com	Reading (K-12)	All divisions
<i>Porter Education and Communications, Inc.</i> 8181 Professional Place Suite 240 Landover, MD 20785	Al Porter phone: 301-577-5505 fax: 301-577-8926 e-mail: Aporter@portereducational.com Web site: www.portereducational.com	Mathematics Reading (K-12)	Petersburg Portsmouth Norfolk Richmond City Virginia Beach
<i>Science Museum of Virginia</i> 2500 West Broad Street Richmond, VA 23220	Dr. Patricia D. Fishback Director of Science Education phone: 804-864-1410 fax: 804-864-1560 e-mail: pfishback@smv.org Web site: SMV.org	Mathematics (PreK-2)	All divisions

Board of Education Agenda Item

Item: G. Date: October 28, 2004

Topic: Final Review of Sanctions/Corrective Actions for School Divisions in Improvement Status, as Required by the *No Child Left Behind Act of 2001*

Presenter: Dr. Patricia I. Wright, Deputy Superintendent

Telephone Number: (804) 225-2979 **E-mail:** pwright@mail.vak12ed.edu

Origin:

☐ Topic presented for information only (no board action required)

☒ Board review required by
☒ State or federal law or regulation
☐ Board of Education regulation
☐ Other: _____

☒ Action requested at this meeting ☐ Action requested at future meeting: _____

Previous Review/Action:

☐ No previous board review/action

☒ Previous review/action:

Date: June 23, 2004

Action: Board accepted proposal on first review and requested attorney general's office to advise on legal authority

Background Information:

The *No Child Left Behind Act of 2001* (NCLB) requires states to establish an accountability system for schools, school divisions, and the state. As part of the accountability system, states must have sanctions and corrective actions for school divisions that do not make AYP for two consecutive years or more as defined in their Consolidated State Application Accountability Workbook. Virginia's Accountability Workbook, approved by the U.S. Department of Education (USED), describes a single statewide accountability system and outlines the steps that Virginia will follow to implement this requirement of NCLB. The AYP accountability determinations for the 2004-2005 school year (based on 2003-2004 data) have resulted in the identification of certain school divisions in improvement status. School divisions that are in improvement status are subject to sanctions and/or corrective actions.

Summary of Major Elements

The NCLB legislation requires the state to prescribe and monitor sanctions for school divisions in improvement in accordance with federal law. NCLB describes these sanctions/corrective actions for school divisions receiving Title I funding. Section 1116(c)(3) of NCLB requires school divisions that do not make AYP for two consecutive years to develop a division improvement plan that addresses specific components, and it allows the state to impose corrective actions. The Board of Education must require a school division that does not make AYP in the same content area by the end of “Year 2 in improvement” status (i.e., four consecutive years of not making AYP in the same content area) to implement at least one of the corrective actions listed in the law.

While NCLB is silent regarding sanctions for school divisions not receiving Title I funding and while no school divisions in Virginia are in this situation, current guidance from USED suggests that states also must address sanctions for school divisions not receiving Title I funds. Guidelines for proposed sanctions and/or corrective actions are attached.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education adopt the attached guidelines for sanctions/corrective actions for school divisions in improvement status, as required by the *No Child Left Behind Act of 2001*.

Impact on Resources:

The impact on resources of the recommendations is being determined along with the implementation of all of the aspects of NCLB.

Timetable for Further Review/Action: Upon adoption by the board, the Department of Education will distribute the guidelines to school divisions and implement procedures for coordinating technical assistance and compliance monitoring as part of a single statewide system of support.

PROPOSED
Guidelines for Sanctions/ Corrective Actions
for Virginia School Divisions in Improvement Status as Required by the *No Child Left Behind Act of 2001*

Authority

NCLB Section 1116(c)(1) and Section 200.50(a) of the Title I regulations require the state education agency (state) to annually review the progress of each local education agency (LEA) that receives funding under Title I, Part A, to determine if (a) its Title I schools are making adequate yearly progress (AYP), and (b) the LEA (school division) is carrying out its responsibilities with respect to school improvement, technical assistance, parental involvement, and professional development. NCLB Section 1116(c) is silent on sanctions/corrective actions for school divisions not receiving Title I funding that fail to make AYP for two consecutive years. Guidance from the U.S. Department of Education (USED) suggests that sanctions may be required for such school divisions.

NCLB Section 1116(c)(3) and Section 200.50(d)(1) of the Title I regulations require the state to identify for improvement a school division that, for two consecutive years fails to make AYP as described in the state's approved Consolidated State Application Accountability Workbook.

Not later than three months after the state has identified a school division for improvement the LEA must develop or revise a division improvement plan that includes components required in NCLB Section 1116(c)(7) and Section 200.52(a)(3) of the Title I regulations. The plan must also specify the fiscal responsibilities of the school division as required in Section 1116(c)(7)(A) and Section 200.52 of the federal regulations.

NCLB Section 1116(c)(10) and Section 200.53 of the Title I regulations require the state to take corrective action with respect to any LEA that is in division improvement status if the division fails to make AYP, as defined in the Consolidated State Application Accountability Workbook, by the end of Year 2 division in improvement status. The state may take corrective actions, including those allowable under NCLB, during the first year a school division receiving Title I funding is identified for improvement. The purpose and types of corrective actions the state must take against school divisions is defined in the federal law and regulations.

In accordance with NCLB Section 1116(c)(11) and Section 200.50(h) of the Title I regulations, any Virginia school division that makes AYP for two consecutive years in the content area(s) that caused it to be identified for improvement, regardless of whether or not it receives Title I funding, will no longer be subject to sanctions/corrective actions or identified for improvement.

Implementing Sanctions/Corrective Actions

Identification of Division in Improvement Status

A Virginia school division receiving Title I funding will be identified in improvement status consistent with policies approved by the U.S. Department of Education (USED) and defined in the Virginia Consolidated State Application Accountability Workbook. The school division will be identified for improvement if it does not make adequate yearly progress (AYP) for two (2) consecutive years in the same content area. Chart 1 attached describes the identification process of Virginia school divisions in improvement status.

Division in Improvement Plan

Any school division receiving Title I funding that does not make AYP for two consecutive years in the same content area will be required to develop within 90 calendar days of notification, a division improvement plan deemed to be part of the plan required by the *Standards of Quality*. The Department of Education may, on behalf of the Board of Education, review such plans. The school division must monitor plan implementation and may be required to report the status of implementation of the division improvement plan to the Department of Education by October 1 of each year, for as long as the division remains in improvement status. A review of the implementation of the improvement plan may be included in the academic review and federal program monitoring processes coordinated at the division and school levels. The Department of Education will report such statuses to the Board.

The purpose of the improvement plan is to improve student achievement throughout the school division. Therefore, the plan overall must identify actions that, if implemented, have the greatest likelihood of accomplishing this goal.

Specifically, the plan must:

- Address the fundamental teaching and learning needs of schools in the division, especially the academic problems of low-achieving students;
- Define specific measurable achievement goals and targets for each of the student subgroups whose disaggregated results are included in the state's definition of AYP;
- Incorporate strategies grounded in scientifically based research that will strengthen instruction in core academic subjects;
- Include, as appropriate, student learning activities before school, after school, during the summer, and during any extension of the school year;

- Provide for high-quality professional development for instructional staff that focuses primarily on improved instruction;
- Include strategies to promote effective parental involvement in the schools served by the division; and
- Include a determination of why the division's previous plan did not bring about increased student academic achievement.

The plan must also specify the fiscal responsibilities of the school division as required in NCLB Section 1116(c)(7)(A) and Section 200.52 of the Title I regulations. School divisions must certify to the Department of Education that it has reviewed and amended its budget and plan submitted as part of the Title I application for the current school year to ensure correlation with the division improvement and/or corrective action plan.

The division must implement its improvement plan no later than the beginning of the school year immediately following the year in which the assessments were administered that resulted in the division's identification for improvement. For example, if the division does not make AYP in the same content area during the 2002-03 and 2003-04 school years, it will be identified for improvement and enter improvement status beginning with the 2004-2005 school year, at which time it must implement its improvement plan.

Division in Corrective Action

The Board of Education will take corrective action with respect to any school division that is in division improvement status if the division fails to make AYP in the same content area by the end of "Year 2 division in improvement" status. In other words, the state must take corrective action with respect to a school division that enters "Year 3 division in improvement" status (i.e., fails to make AYP in the same content area after four consecutive years). The Board may take corrective actions, including those allowable under NCLB Section 1116(c)(10)(c), during the first year a school division receiving Title I funding is identified in improvement status. In determining whether or not to take corrective actions, the Board will consider the history of progress or lack of progress in the content area in schools in the school division.

Section 1116(c)(10)(c) of the law states:

In the case of a local educational agency identified for corrective action, the State educational agency shall take at least one of the following corrective actions:

- (i) *Deferring programmatic funds or reducing administrative funds.*

- (ii) *Instituting and fully implementing a new curriculum that is based on State and local academic content and achievement standards, including providing appropriate professional development based on scientifically based research for all relevant staff, that offers substantial promise of improving educational achievement for low-achieving students.*
- (iii) *Replacing the local educational agency personnel who are relevant to the failure to make adequate yearly progress.¹*
- (iv) *Removing particular schools from the jurisdiction of the local educational agency and establishing alternative arrangements for public governance and supervision of such schools.²*
- (v) *Appointing, through the State educational agency, a receiver or trustee to administer the affairs of the local educational agency in place of the superintendent and school board.¹*
- (vi) *Abolishing or restructuring the local educational agency.²*
- (vii) *Authorizing students to transfer from a school operated by the local educational agency to a higher-performing public school operated by another local educational agency in accordance with subsections (b)(1)(E) and (F), and providing to such students transportation (or the costs of transportation) to such schools consistent with subsection (b)(9), in conjunction with carrying out not less than one additional action described under this subparagraph.*

¹ *The Virginia Constitution does not allow the Board of Education (the State educational agency) to replace local educational agency personnel (iii) or to appoint a receiver or trustee to administer the local educational agency (v).*

² *The Virginia Constitution places constraints on the Board of Education's authority. LEA consent is required.*

Any school division in improvement that does not make AYP in the same content area in subsequent years may be subject to additional sanctions or corrective actions allowable under NCLB. In determining the additional corrective actions, the Board will consider the history of progress or lack of progress in the content area in schools in the school division and any corrective actions the school division may have already taken or intends to take. A school division may request to implement corrective actions that are defined in NCLB Section 1116(c)(10)(c) and are not within the Board of Education's authority to require.

Sanctions: Non-Title I Divisions

Should sanctions be required, any school division in Virginia not receiving Title I funding that does not make AYP in the same content area for two consecutive years will be required to analyze its data and develop a division improvement plan that will be part of the six-year plan required by the *Standards of Quality*. The Department of Education may, on behalf of the Board of Education, review such plans.

Division in Improvement Exit Criteria

Any school division that makes AYP for two consecutive years in the content area(s) that caused it to be identified for improvement, regardless of whether or not it receives Title I funding, will no longer be subject to sanctions/corrective actions or identified for improvement.

Chart 1: NCLB LEA Improvement/Corrective Action Status for Divisions Receiving Title I Funding (Example)

School Year	LEA Makes AYP in <u>Same Content Area</u>	LEA Improvement Status	Sanction/Corrective Action Required by SEA
By the end of 2002-2003	No		
By the end of 2003-2004	No		
Beginning of 2004-2005		Year 1 Division Improvement Status	Division Improvement Plan After state assistance provided, at least one corrective action <u>may</u> be required
By the end of 2004-2005	No		
Beginning of 2005-2006		Year 2 Division Improvement Status	Division Improvement Plan updated After state assistance provided, at least one corrective action <u>may</u> be required
By the end of 2005-2006	No		
Beginning of 2006-2007		Year 3 Division Improvement/ Corrective Action Status	At least one corrective action <u>shall</u> be required. Additional corrective actions may be required. Division Improvement/Correction Action Plan updated
By the end of 2006-2007	Yes		
Beginning of 2007-2008		Remain in Year 3 Division Improvement Status/Corrective Action Status	Continue implementing Division Improvement/Corrective Action Plan
By the end of 2007-2008	No		
Beginning of 2008-2009		Year 4 Division Improvement Status/ Corrective Action Status	Division Improvement/Corrective Action Plan updated Additional corrective actions <u>shall</u> be required.

Board of Education Agenda Item

Item: _____ H. _____

Date: _____ October 28, 2004 _____

Topic: First Review of Pupil Transportation Specifications for School Buses

Presenter: Mr. Daniel S. Timberlake, Assistant Superintendent for Finance

Telephone Number: (804) 225-2025 **E-Mail Address:** dtimberl@mail.vak12ed.edu

Origin:

____ Topic presented for information only (no board action required)

X Board review required by

X State or federal law or regulation

____ Board of Education regulation

____ Other: _____

____ Action requested at this meeting X Action requested at future meeting: November 17, 2004

Previous Review/Action:

X No previous board review/action

____ Previous review/action

date _____

action _____

Background Information:

The Regulations Governing Pupil Transportation were approved in January, 2004. The approved regulations deleted the section on specifications for school buses, and made the specifications a separate document. This permits the Department of Education to revise and update the bus specifications more frequently than would be permitted under the process for revising regulations. The specifications will be presented to the Board of Education for approval as necessary but no less than once each year.

Summary of Major Elements

The specifications (attached) have been updated and revised to include recent changes in equipment and technology. The changes were developed by the Department's Specifications Committee, which is comprised of pupil transportation representatives from school divisions across the state. None of the changes represent significant deviations from standard industry practices. All of the specifications presented comply with the safety requirements of the National Highway Traffic Safety Administration.

The Specifications Committee, composed of representatives of all regions of the state, developed these

proposed specifications with the goal of improving safety. Knowing that it is difficult to design statewide specifications that encompass the specific needs of each of our fleets, the Committee considered the geographic differences of our regions, the newer technology available for new school buses, the past track record of current specification configurations, specifically the overall cost of maintenance, and any components with a record of failure that caused safety to be compromised. The Committee also made comparisons with specifications written in other states and made some adjustments to Virginia specifications to improve our minimum specifications, and align Virginia specifications with other Southeastern States. Outlined below are a few of the most visible changes:

1. Conventional Type “C” Buses – Historically, Virginia has allowed Type “C” buses with seating configurations up to 64 passengers. These specifications introduce 71 and 77 passenger configurations.
2. Seating Capacity – Last year, Virginia removed the requirement for the manufacturers to submit annual floor plans and seating plans. To clarify our bus seating capacities, section 60 D of the specifications explains seating configurations for both Type “C” and Type “D” buses. This proposed change requires a corresponding change in the seating capacities used in the Bus Type Specifications.

“Type C school buses” are buses with a body constructed utilizing a chassis with a hood and front fender assembly. The entrance door is behind the front wheels. “Type D school buses” are buses with a body constructed utilizing a stripped chassis, and the entrance door is ahead of the front wheels.

As part of the process for developing these specifications, the Department posted the proposed specifications on its website for 30 days in order to give school divisions and others the opportunity to review them and offer comments. Only one comment was received from a school bus manufacturer, which requested two changes in the specifications that would have made their buses more competitive with other manufacturers. The Specifications Committee did not make any changes based on their comments. No other comments were received.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education accept the proposed school bus specifications for first review.

Impact on Resources:

There is no impact on DOE’s resources to initiate these specifications.

Timetable for Further Review/Action:

Proposed specifications will need to be adopted by the Board of Education at its November 17, 2004, meeting.

SPECIFICATIONS THE BUS CHASSIS

1. Air cleaner.

- A. The engine intake air cleaner system shall be furnished and properly installed by the chassis manufacturer to meet the engine manufacturer's specifications.
- B. An air cleaner restriction indicator shall be furnished and installed by chassis manufacturer.

2. Alternator.

- A. All Type A and B buses up to 15,000 pounds gross vehicle weight rating (GVWR) shall have a minimum 90 ampere alternator.
- B. Type B buses over 15,000 pounds GVWR and all Type C and D buses shall be equipped with a heavy duty truck or bus type alternator meeting Society of Automotive Engineers (SAE) J-180; having a minimum output rating of 100 amperes, alternator shall be capable of producing a minimum of 50% of its maximum rated output at the engine manufacturer's recommended idle speed.
- C. Buses equipped with electrically powered wheelchair lift, air conditioning or other accessories may be equipped with a device that monitors the electrical system voltage and advances the engine idle speed when the voltage drops to, or below, a pre-set level.
- D. Belt drive shall be capable of handling the rated capacity of the alternator with no detrimental effect on other driven components. Direct-drive alternator is permissible in lieu of belt drive.

3. Axles.

- A. The front and rear axle and suspension systems shall have a gross axle weight rating at ground commensurate with the respective front and rear weight loads that will be imposed by the bus.
- B. Rear axle shall be single speed, full-floating type.

4. Battery.

- A. The storage batteries shall have minimum cold cranking capacity rating (cold cranking amps) equal to the cranking current required for 30 seconds at 0 degrees Fahrenheit and a minimum reserve capacity rating of 120 minutes at 24 amps. Higher capacities may be required, depending upon optional equipment and local environmental conditions.
- B. Batteries shall be mounted in a slide out tray on the left side of the body in a compartment designed for storage batteries.
- C. Exception: Type A units – Batteries may be located in standard manufacturers position.

5. Brakes

- A. Four-wheel brakes, adequate at all times to control bus when fully loaded, shall be provided in accordance with Federal Motor Vehicle Safety Standards.
- B. The chassis brake system shall conform to the provisions of Federal Motor Vehicle Safety Standards (FMVSS) numbers 105, 106, and 121 as applicable.
- C. Chassis shall be equipped with auxiliary brakes capable of holding vehicle on any grade on which it is operated under any conditions of loading on a surface free from snow or ice. Operating controls of such auxiliary brakes shall be independent of operating controls of service brakes.
- D. Buses having full compressed air systems shall be equipped with a minimum 12 cfm engine oil-fed air compressor.
 - 1. Air supply for air compressor shall be taken from the clean side of engine air cleaner system.
 - 2. A desiccant type air dryer with automatic purge and drain cycle and a heating element shall be installed on all air brake buses.
 - 3. Air brake systems shall include system for anti-compounding of the service and parking brakes.
- E. Buses using hydraulic brakes shall have power assist brakes. Hydraulic line pressure shall not exceed recommendation of chassis or brake manufacturer.

6. Bumper, front.

- A. Front bumper shall be heavy-duty, channel steel at least eight inches in height with 3/16-inch thickness, painted black, and shall be furnished by chassis manufacturer as part of chassis.
- B. Front bumper shall extend to outer edges of fenders at bumper top line (to assure maximum fender protection) and be of sufficient strength to permit pushing, lifting or towing without permanent distortion to bumper, chassis, or body.
- C. Exception: Type A vehicles having a GVWR of 14,500 pounds or less – bumper shall be manufacturer's standard painted black.
- D. Exception: Type D vehicles – same as above, except that front bumper shall be furnished by body manufacturer.

7. Clutch.

- A. Torque capacity shall be equal to or greater than the engine torque output. Clutch facing shall be non-asbestos.
- B. A starter interlock shall be installed to prevent actuation of the starter if the clutch pedal is not depressed.

8. Color.

- A. Chassis, including wheels, and front bumper shall be black.
- B. Hood, cowl, and fenders shall be national school bus yellow.
- C. Grill shall be national school bus yellow, if painted; otherwise it shall be chrome or anodized aluminum.
- D. All paint shall meet the lead-free standards.

9. Drive Shaft.

- A. Drive shaft shall be protected by metal guard or guards to prevent it from whipping through floor or dropping to ground if broken.

10. Electrical System.

- A. Battery. See Item 4.
- B. Alternator. See Item 2.
- C. Lights and signals. See Item 19.
- D. Wiring. See Item 75.
- E. Power terminal. Chassis manufacturer shall provide an electric power source terminal for bus body power connection. Wiring from the power source in wiring terminal shall have a current carrying capacity of 125 amperes continuous (minimum 4 gauge wire). If the bus is to be equipped with Air Conditioning or Wheelchair Lift, current carrying capacity shall be increased to 150 amperes continuous.

This conductor shall be routed to cover the least distance practicable between points of termination. It should be of continuous size protected by fusible links, fuses, circuit breakers, or a reset-able electronic circuit protection device, no more than 12 inches from the battery. The terminal shall be of the single post-type, minimum of one-fourth inch (1/4") stud and located in an accessible location for service, subject to approval of the ~~Pupil Transportation Service~~, Department of Education.

- F. Light terminal. The chassis manufacturer shall provide a wire terminal adjacent to on in the under dash area of the left side panel accessible to the body company for connection of rear brake lights, tail lights, turn signal lights, and back-up lights. A terminal strip consisting of individual terminals with each terminal properly identified shall be provided to meet this requirement.

- G. Fuse. All fuses shall be located in fuse block and properly identified for the circuit protected.
- H. Each chassis circuit shall be color-coded and a diagram of the circuits shall be included with the chassis.
- I. Wiring harness. All conductors from the alternator to the battery shall be continuous in length. The conductors shall be sized to provide at least a 25% greater current carrying capacity than the design output of the alternator (minimum 4 gauge wire). The conductor between the alternator and the battery shall be routed in a manner that will provide the least distance between points of termination. A separate ground conductor from alternator to engine shall be provided (minimum four-gauge).
- J. **Buses using multiplexed electrical systems may meet the intent of these specifications without the use of specified equipment, subject to the approval of the Department of Education.**

11. Engine.

- A. The engine shall be of the internal-combustion, four-stroke cycle type.
- B. All gas-powered buses shall have an automatic fire extinguisher system in the engine compartment.

12. Exhaust System.

- A. Exhaust pipe, muffler, and tail pipe shall be outside bus body attached to chassis.
- B. Tail pipe shall be constructed of seamless or electrically welded tubing of 16-gauge steel or equivalent, and shall extend at least five inches beyond chassis frame. (See Item 66.)
- C. Size of tail pipe shall not be reduced after it leaves muffler.
- D. Exhaust system shall be properly insulated from fuel tank and tank connections by securely attached metal shield at any point where it is 12 inches or less from tank or tank connections.
- E. Muffler shall be constructed of corrosion-resistant material.
- F. Exception: Type A and B Vehicles less than 15,000 pounds (GVWR) – tail pipe may exit behind rear wheel.

13. Fenders, front.

- A. Total spread of outer edges of front fenders, measured at fender line, shall exceed total spread of front tires when front wheels are in straight-ahead position.

- B. Front fenders shall be properly braced and free from any body attachment.

14. Frame.

- A. Frame shall be of such design as to correspond at least to standard practice for trucks of same general load characteristics that are used for severe service.
- B. When frame side members are used, they shall be of one-piece construction. If frame side members are extended, such extension shall be designed and furnished by chassis manufacturer with a guarantee, and installation shall be made by either chassis or body manufacturer and guaranteed by company making installation. Extensions of frame lengths are permissible only when such alterations are behind rear hanger of rear spring, and shall not be for purpose of extending wheelbase.
- C. Holes in top or bottom flanges of frame side rails shall not be permitted except as provided in original chassis frame. There shall be no welding to frame side rails except by chassis or body manufacturer.

15. Fuel tank.

- A. Fuel tank having a minimum 30-gallon capacity shall be provided. The tank shall be filled and vented to the outside of the body and the fuel filler should be placed on the right side in a location where accidental fuel spillage will not drop or drain on any part of the exhaust system.
- B. Fuel lines shall be mounted to the chassis frame in such a manner that the frame provides the maximum possible protection from damage.
- C. Fuel tank may be mounted between the frame rails or outboard on the right side of the vehicle.
- D. The actual draw capacity of each fuel tank shall be a minimum of 83 percent of the tank capacity.
- E. Exception: Type A Vehicles – fuel tank shall be manufacturer's standard, mounted, filled, and vented outside of body.

16. Heating System, provision for.

- A. The chassis engine shall have plugged openings for the purpose of supplying hot water for the bus heating system. The opening shall be suitable for attaching $\frac{3}{4}$ inch pipe thread/hose connector. The engine shall be capable of supplying water having a temperature of at least 170 °F at a flow rate of 50 pounds per minute at the return end of 30 feet of one-inch inside diameter automotive hot water heater hose. (SBMI Standards No. 001-Standard Code for Testing and Rating Automotive Bus Hot Water Heating and Ventilating Equipment.)

17. Horn.

- A. Bus shall be equipped with dual horns of standard make which meet requirements of Federal Motor Vehicle Safety Standards, 49 CFR 571.

18. Instrument and instrument panel.

- A. Chassis shall be equipped with following instruments and gauges:
 - 1. Speedometer which will show speed;
 - 2. Odometer which will show accrued mileage, including tenths of miles, tenths of miles can be accrued with tripodometer;
 - 3. Ammeter or voltmeter with graduated scale;
 - 4. Oil pressure gauge;
 - 5. Water temperature gauge;
 - 6. Fuel gauge;
 - 7. Upper-beam headlamp indicator; and
 - 8. Tachometer.
- B. All instruments or gauges shall be mounted on instrument panel in such manner that each is clearly visible to driver in normal seated position. Lights in lieu of gauges are not acceptable.
- C. Exception: Type A vehicles – the ammeter, or voltmeter and its wiring are to be compatible with generating capacity. Tachometer is not required.
- D. Multi-function gauges must have prior approval.

19. Lights and signals.

- A. Each chassis shall be equipped with not less than two headlights – beam controlled, and stop and tail lights, and two front turn signal lamps mounted on front fenders.
- B. Lights shall be protected by fuse or circuit breakers.
- C. Self-canceling directional signal switch shall be installed by the chassis manufacturer. The directional signals shall activate only when ignition is in “on” position.
- D. Daytime Running Lights (DRL) are required.

20. Oil Filter.

- A. Oil filter of replaceable element type shall be provided and shall have oil capacity of at

least one quart.

21. Openings.

- A. All openings in floorboard or firewall between chassis and passenger-carrying compartment, such as for gearshift lever and auxiliary brake lever, shall be sealed unless altered by body manufacturer. See Item 39J.

22. ~~Overall length.~~

- ~~A. Annual body specifications shall specify overall length.~~

23. Passenger load.

- A. Gross vehicle weight (i.e., wet weight, plus body weight, plus driver's weight of 150 pounds, plus weight of maximum seated pupil load based on not less than 120 pounds per pupil) shall not exceed maximum gross vehicle weight rating as established by manufacturer.

24. Retarder system (Optional).

- A. Retarder system, if used, shall be approved by the Department of Education.

25. Shock absorbers.

- A. Bus shall be equipped with front and rear double-acting shock absorbers compatible with manufacturer's rated axle capacity.

26. Springs.

- A. Springs or suspension assemblies shall be of ample resiliency under all load conditions and of adequate strength to sustain loaded bus without evidence of overload.
- B. Springs or suspension assemblies shall be designed to carry their proportional share of gross vehicle weight.
- C. Rear springs shall be of progressive, variable, parabolic or air ride type.
- D. Stationary eye of the front spring shall be protected by full wrapper leaf in addition to main leaf.
- E. Exception: Type A vehicles – springs that are regular equipment on vehicle to be purchased may be used.

27. Steering gear.

- A. Steering gear shall be approved by chassis manufacturer and designed to assure safe and accurate performance when vehicle is operated with maximum load and maximum speed.
- B. No changes shall be made in steering apparatus that are not approved by chassis

manufacturer.

- C. There shall be clearance of at least two inches between steering wheel and cowl instrument panel, windshield, or any other surface.
- D. Power steering is required and shall be of the integral type with integral valves.

28. Tires and rims.

- A. Tire and rim sizes, based upon current standards of Tire and Rim Association, shall be required.
- B. Total weight imposed on any tire shall not be above current standard of Tire and Rim Association.
- C. Dual rear tires shall be provided on all vehicles.
- D. All tires on given vehicles shall be of same size and ply rating.
- E. Spare tire, if required, shall be suitably mounted in accessible location outside passenger compartment.

29. Transmission.

- A. Mechanical type transmission shall be synchromesh except first and reverse gears. Its design shall provide not less than four forward and one reverse speeds. With five-speed transmission, fifth gear shall be direct.
- B. Automatic transmissions are permissible when equipped with a parking pawl or approved parking brake system.

30. Turning Radius.

- A. Chassis with a wheel base of 264 inches or less shall have a right and left turning radius of not more than 42 ½ feet, curb to curb measurement. Chassis with a wheel base over 264 inches shall have a right and left turning radius of not more than 44 ½ feet curb to curb measurement.

31. Weight distribution.

- A. Shall be established by chassis manufacturers engineering department.

32. Wheels.

- A. Disc wheels are required.

THE BUS BODY

33. Aisle.

- A. Minimum clearance of all aisles, including aisle (or passageway between seats) leading to emergency door shall be 12 inches. Aisles shall be unobstructed at all times.
- B. Aisle supports of seat backs shall be slanted away from aisle sufficiently to give aisle clearance of 15 inches at top of seat backs.

34. Back-up Alarm.

- A. An automatic audible alarm shall be installed behind the rear axle and shall comply with the published Backup Alarm Standards (SAE J994B), providing a minimum of 97 dba.

35. Body sizes.

- ~~A. Sizes are based on knee-room clearance between rows of forward-facing seats, overall width, center aisle width, and average rump width. Body lengths for various capacity units will be designated in Specification Notices, issued periodically by the Pupil Transportation Service, Department of Education.~~

36. Bumper, rear.

- A. Rear bumper shall be of pressed steel channel at least 3/16 inch by 9 ½ inches.
- B. It shall be wrapped around back corners of bus. It shall extend forward at least 12 inches, measured from rear-most point of body at floor line.
- C. Bumper shall be attached to chassis frame in such manner that it may be easily removed, shall be so braced as to develop full strength of bumper section from rear or side impact, and shall be so attached as to prevent hitching of rides.
- D. Rear bumper shall extend beyond rear-most part of body surface at least one inch, measured at floor line.
- E. Exception: Type A vehicles – Rear bumper shall be standard type furnished by chassis manufacturer as part of chassis on conversions. Body manufacturer will furnish bumper on cutaway chassis.

37. Color.

- A. School bus body including hood, cowl, external speakers and fenders shall be painted uniform color – national school bus yellow.
- B. Grill shall be national school bus yellow, if painted; otherwise it shall be chrome or anodized aluminum.
- C. Rear bumper, body trim, and rub rails shall be painted black.
- D. The roof of the bus may be painted white extending down to the drip rails on the sides of the body except that front and rear roof caps shall remain national school bus yellow.

- E. All paint shall meet the lead-free standards.
- F. Retro-reflective tape. Material shall be Type V or better, as determined by the American Society of Testing Materials (ASTM: D4956-90). “Standard specifications for reflective sheeting for traffic control.”
 - 1. The material shall retain at least 50% of reflective values for a minimum of seven years.
 - 2. Reflective materials and markings shall include all of the following:
 - a. On the rear, a strip or reflective yellow material two inches in width to be applied on the back of the bus, extending from the left lower corner of the “SCHOOL BUS” lettering, across to left side of the bus, then vertically down to the top of the bumper, across the bus on a line immediately above the bumper on the right side, then vertically up to a point even with a horizontal strip terminating at the right lower corner of the “SCHOOL BUS” lettering.
 - b. “SCHOOL BUS” signs shall be marked with reflective yellow material comprising background for lettering of the front and rear “SCHOOL BUS” signs.
 - c. Sides of the bus body shall be marked with reflective yellow material, two inches in width, extending the length of the bus body and located (vertically) as close as practicable to the beltline.
 - 3. On activity buses reflective material shall be installed on the rear and sides, following the same specifications in subdivisions 2a and 2c of this subsection. There will be no “SCHOOL BUS” signs on either the front or the rear of the activity bus. Color of the reflective material shall match, as closely as possible, the color of the bus body.
 - 4. OPTION: Rear bumpers on school or activity buses may be marked with a maximum three-inch wide continuous black strip of reflective material which continues around corners to the ends of the bumpers.

38. Communication system – optional equipment.

- A. Communication systems. If communication systems are used on school buses, the systems shall be subject to written policies adopted by the local school board. Installation shall be subject to the Department of Education Fleet Assessment.
 - 1. The radio mounting shall be in the driver’s compartment in a safe, secure location, so as not to interfere with normal bus operation.
 - 2. Mounting shall be permanent. Temporary mountings will not be acceptable.

3. Wiring shall be protected by a proper fuse or circuit breaker and permanently connected to an accessory circuit shut off by ignition switch. Plug-in type connections are not acceptable.
 4. Antenna shall be permanently mounted to cowl or roof so as not to interfere with driver's vision of roadway. Antenna lead-in cable shall be permanently secured with the proper clamps, grommets, and sealant. Antenna cable may not pass through window opening.
- B. Public address system. For use by driver, the system contains an inside speaker and an external speaker that is of special use when driver needs to caution pupils about surrounding dangers at school bus stops. Inside speakers shall be recessed type.
- C. AM/FM radios and cassette players. If AM/FM radios or cassette players are installed, they shall be properly mounted by the body manufacturer or local shop personnel. All wiring shall be properly connected and concealed and any speakers shall be of recessed type.
- D. Video camera. Both equipment and installation shall be subject to the Department of Education annual fleet assessment.
1. Equipment shall not extend more than six inches from the front header panel into the driver's compartment.
 2. Camera boxes shall be mounted securely to the header without use of brackets or other supports.
 3. Mounted equipment shall be located on the left side of the front header and shall not interfere with passenger ingress and egress.

39. Construction, Type B, C, and D vehicles.

- A. Construction of body shall meet all requirements of FMVSS 220 (roll-over), 49 CFR § 571.220, FMVSS 221 (Joint Strength), 49 CFR § 571.221, and all other applicable federal standards.
- B. Construction shall be of prime commercial quality steel or other material with strength at least equivalent to all-steel as certified by bus body manufacturer. All such construction materials shall be fire resistant.
- C. Construction shall provide reasonable dust proof and watertight unit.
- D. Bus body (including roof bows, body posts, strainers, stringers, floor, inner and outer linings, rub rails and other reinforcements) shall be of sufficient strength to support entire weight of fully loaded vehicle on its top or side if overturned. Bus body as unit shall be designed and built to provide impact and penetration resistance.

- E. Side posts and roof bows. There shall be a body side post and roof bow fore and aft of each window opening. This may be a continuous bow or two separate pieces effectively joined.
- F. Floor shall be of prime commercial quality steel of at least 14-gauge or other metal or other material at least equal in strength to 14-gauge steel. Floor shall be level from front to back and from side to side except in wheel housing, toe board, and driver's seat platform areas. When plywood is used, it shall be of ½-inch exterior B.B. Grade or equivalent and securely fastened to the existing steel floor.
- G. Roof strainers. Two or more roof strainers or longitudinal members shall be provided to connect roof bows, to reinforce flattest portion of roof skin, and to space roof bows. These strainers may be installed between roof bows or applied externally. They shall extend from windshield header and, when combined with rear emergency doorpost, are to function as longitudinal members extending from windshield header to rear floor body cross member. At all points of contact between strainers or longitudinal members and other structural material, attachment shall be made by means of welding, riveting or bolting.
- H. Side strainers. There shall be one or more side strainers or longitudinal members to connect vertical structural members and to provide impact and penetration resistance in event of contact with other vehicles or objects. Such strainers shall be formed (not in flat strip) from metal of at least 16-gauge and three inches wide.
 - 1. Side strainers shall be installed in area between bottom of window and bottom of seat frame and shall extend completely around bus body except for door openings and body cowl panel. Side strainers shall be fastened to each vertical structural member in any one or any combination of the following methods as long as stress continuity of members is maintained:
 - a. Installed between vertical members;
 - b. Installed behind panels but attached to vertical members; and,
 - c. Installed outside external panels.
 - 2. Fastening method employed shall be such that strength of strainers is fully utilized.
 - 3. Side strainers or longitudinal members may be combined with one of required rub rails (see Item 58), or be in form of additional rub rail, as long as separate conditions and physical requirements for rub rails are met. No portion of side strainer or longitudinal member is to occupy same vertical position as rub rail.
- I. Floor sills. There shall be one main body sill at each side post and two intermediate body sills on approximately 10-inch centers. All sills shall be of equal height, not to exceed three inches. All sills shall extend width of body floor except where structural members or features restrict area.

Main body sill shall be equivalent to or heavier than 10-gauge and each intermediate

body sill shall be equivalent to or heavier than 16-gauge, or each of all sills shall be equivalent to or greater than 14-gauge. All sills shall be permanently attached to floor.

Connections between sides and floor system shall be capable of distributing loads from vertical posts to all floor sills.

- J. All openings between chassis and passenger-carrying compartment made due to alternations of body manufacturer shall be sealed. (See Item 55).
- K. A cover shall be provided for the opening to the fuel tank fill pipe.
- L. A moisture and rustproof removable panel shall be provided in the floor for access to the fuel tank sender gauge. It shall be designed for prolonged use and adequate fastening to the floor.

40. Construction, Type A Vehicles.

- A. Construction of body shall meet all requirements of FMVSS 220 (Roll-over), 49 CFR § 571.220, and all other applicable federal standards.
- B. Body joints created by body manufacturer shall meet the 60% joint strength provision required in FMVSS 221.49, CFR § 571.221, for Type B, C, and D buses.
- C. Construction shall be of prime commercial quality steel or other material with strength at least equivalent to all steel as certified by bus body manufacturer. All such construction materials shall be fire resistant.
- D. Construction shall provide reasonably dustproof and watertight unit.
- E. Bus body (including roof bows, body posts, strainers, stringers, floor, inner and outer linings, rub rails and other reinforcements) shall be of sufficient strength to support entire weight of fully loaded vehicle on its top or side if overturned. Bus body as unit shall be designed and built to provide impact and penetration resistance.
- F. Floor. Plywood of ½ inch exterior B.B. Grade or equivalent shall be applied over the existing steel floor and securely fastened. Floor shall be level from front to back and from side to side except in wheel housing, toe board, and driver seat platform areas.

Exception: Plywood may be deleted when provisions of subsection D and subdivision H 1 of Item 40 for Type C and D buses are met.

- G. Roof strainers. Two or more roof strainers or longitudinal members shall be provided to connect roof bows to reinforce flattest portion of roof skin, and to space roof bows. These strainers may be installed between roof bows or applied externally. They shall extend from windshield header to rear body header over the emergency door. At all points of contact between strainers or longitudinal members and other structural material, attachment shall be made by means of welding, riveting, or bolting.

After load as called for in Static Load Test Code has been removed, none of the following defects shall be evident:

1. Failure or separation at joints where strainers are fastened to roof bows;
 2. Appreciable difference in deflection between adjacent strainers and roof bows;
 3. Twisting, buckling, or deformation of strainer cross-section.
- H. Side strainers. There shall be one longitudinal side strainer mounted at shoulder level (window sill level) and extending from front main vertical post to rear corner post. This member shall be attached to each vertical structural member. Such strainer shall be formed of metal (not in flat strip).
1. There shall be one longitudinal side strainer installed in the area between bottom of window and bottom of seat frame extending from front main vertical post to rear corner post. The member shall be attached to each vertical structural member.
 2. Strainers may be fastened in any one or any combination of the following methods as long as stress continuity of members is maintained:
 - a. Installed between vertical members;
 - b. Installed behind panels but attached to vertical members; or,
 - c. Installed outside external panels.
 3. Fastening method employed shall be such that strength of strainers is fully utilized.
- I. Area between floor and window line shall be restructured inside to include at least four vertical formed reinforcement members extending from floor to window line rail. They shall be securely attached at both ends.
- J. Rear corner reinforcements. Rear corner framing of the bus body between floor and window sill and between emergency door post and last side post shall consist of at least one structural member applied horizontally to provide additional impact and penetration resistance equal to that provided by frame members in areas of sides of body. Such member shall be securely attached at each end.
- K. All openings between chassis and passenger carrying compartment made due to alterations by body manufacturers shall be sealed. (See Item 55.)

41. Defrosters.

- A. Defrosters shall be of sufficient capacity to keep windshield clear of fog, ice, and snow and to defog the window to the left of the driver. (See Item 46.) An auxiliary fan of sufficient capacity to defog the entrance door glass shall be installed above the windshield on the right side. An additional fan to the left of the driver is permissible. Fans shall be placed so as not to block driver's view of outside rearview mirrors.

B. Exception: Type A vehicle, Auxiliary fan is not required.

42. Doors.

A. Service Door.

1. Service door shall be manually or power-operated, under control of driver, and so designed as to afford easy release and prevent accidental opening. No parts shall come together so as to shear or crush fingers.
2. Service door shall be located on right side of bus opposite driver and within his direct view.
3. Service door shall have minimum horizontal opening of 24 inches and minimum vertical opening of 68 inches.
4. Service door shall be of split-type, outward opening type.
5. All door glass shall be approved safety glass. Bottom of lower glass panel shall not be more than 10 inches from the bottom of the door. Top of upper glass panel shall not be more than six inches from top of door.
6. Vertical closing edges shall be equipped with flexible material to protect children's fingers.
7. All doors shall be equipped with padding at the top of each door opening. Pad shall be at least three inches wide and one-inch thick and extend the full width of the door opening.

B. Rear Emergency Door Type B, C, and D vehicles.

1. Emergency door shall be located in center of rear end of bus.
2. Rear emergency door shall have minimum horizontal opening of 24 inches and minimum vertical opening of 45 inches measured from floor level.
3. Rear emergency door shall be hinged on right side and shall open outward and be equipped with an adequate strap or stop to prevent door from striking lamps or right rear of body. Such strap or stop shall allow door to open at least at a 90-degree angle from closed position.

Exception: Type D vehicles with rear engines – Emergency door shall be located on the left side, shall be hinged on the front side and open outward. Door shall meet all requirements of FMVSS 217, 49 § 571.217.

4. Upper portion of rear emergency door shall be equipped with approved safety glass, exposed area of which shall not be less than 400 square inches. Lower portion of door shall be equipped with approved safety glass, area of which shall not be less than 12 inches in height and 20 inches in width. This glass shall be

protected by a metal guard on the inside. This guard shall be free of any sharp edges that may cause injury to passengers.

5. There shall be no steps leading to emergency door.
6. When not fully latched, emergency door shall actuate signal audible to driver by means of mechanism actuated by latch.
7. Words "EMERGENCY DOOR," both inside and outside in black letters two inches high, painted or vinyl, shall be installed directly above emergency door. Words may be placed on the top of door outside if space is available.
8. The emergency door shall be designed to open from inside and outside bus. It shall be equipped with a slide bar and cam-operated lock located on left side of door and fastened to the door framing.

The slide bar shall be approximately 1 ¼ inches wide and 3/8 inch thick and shall have a minimum stroke of 1 ¼ inches. The slide bar shall have a bearing surface of a minimum of ¾ inch with the door lock in a closed position. Control from driver's seat shall not be permitted. Provision for opening from outside shall consist of non-detachable device so designed as to prevent hitching-to, but to permit opening when necessary. Door lock shall be equipped with interior handle and guard that extended approximately to center of door. It shall lift up to release lock.

9. All doors shall be equipped with padding at the top edge of each door opening. Pad shall be at least three inches wide and one inch thick and extend the full width of the door opening.

C. Rear emergency door, Type A vehicles.

1. Emergency door shall be located in center of rear end of bus and shall be equipped with fastening device for opening from inside and outside body, which may be quickly released but is designed to offer protection against accidental release. Control from driver's seat shall not be permitted. Provision for opening from outside shall consist of device designed to prevent hitching-to but to permit opening when necessary.
2. When not fully closed, emergency door shall actuate signal audible to driver.
3. Emergency door shall be marked "EMERGENCY DOOR" on inside and outside in painted or vinyl black letters two inches high immediately above the emergency door.
4. There shall be no steps leading to emergency door.
5. No seat or other object shall be placed in bus which restricts passageway to emergency door to less than 12 inches.
6. All doors shall be equipped with padding at the top edge of each door opening.

Pad shall be at least three inches wide and one inch thick and extend the full width of the door opening.

- C. Security locking system. A locking system designed to prevent vandalism, which is approved by the Pupil Transportation Service, Department of Education, may be installed provided it is equipped with an interlock in the chassis starting circuit and an audible alarm to indicate to the driver when an emergency exit is locked while the ignition is in the "on" position. A cutoff switch on the interlock circuit or a lock and hasp on emergency exits shall not be permitted.

43. Emergency equipment.

A. Fire Extinguisher.

1. The bus shall be equipped with one dry-chemical fire extinguisher of at least five-pound capacity with pressure indicator, mounted in extinguisher manufacturer's bracket of automotive type, and located in full view and in an accessible place in the front of the bus.
2. Fire extinguisher shall bear label of Underwriters' Laboratories, Inc., showing rating of not less than 2A 10-B C.
3. Fire extinguisher shall have aluminum, brass, or steel valves, heads, check stems, siphon tubes, levers, safety pins, chain, handles and metal hanging brackets. Plastic shall not be used for those named parts.

B. First Aid Kit.

1. Bus shall carry Grade A metal first-aid kit, unit-type, mounted in full view and in accessible place in the front of the bus and identified as a first-aid kit.
2. The first-aid kit shall contain the following items:

Item	Unit
Bandage compress (sterile gauze pads) 4-inch	3
Bandage compress (sterile gauze pads) 2-inch	2
Adhesive absorbent bandage (nonadhering pad) 1 x 3 inch	2
Triangular bandage, 40-inch	2
Gauze bandage, 4 inch	2
Absorbent-gauze compress	1
Antiseptic applicator (swab type) 10 per unit (Zephiran Chloride/Green Soap type)	2
Bee sting applicator (swab type) 10 per unit	1

C. Warning Devices

1. Bus shall be equipped with a kit containing three reflectorized triangular warning devices meeting requirements FMVSS 125, 49 CFR § 571.125.
2. Kit shall be securely mounted.

D. Body Fluid Clean-up Kit

1. Each bus shall carry a Grade A metal or rigid plastic kit, mounted in an accessible place and identified as a body fluid clean-up kit with a directions for use sheet attached to the inside cover.
2. The kit shall be moisture proof and properly mounted or secured in a storage compartment.
3. Contents shall include but not be limited to the following items:
 - a. One pair **non** - latex gloves
 - b. One pick-up spatula or scoop
 - c. One face mask
 - d. Infectious liquid spill control powder
 - e. Anti-microbial hand wipes – individually wrapped
 - f. Germicidal disinfectant wipes – tuberculocidal
 - g. Plastic disposal bag with tie

B. Seat Belt Cutter

1. Buses with installed seat belts for passengers shall also be equipped with a Seat Belt Cutter, installed in the driver's area.

44. Emergency exits.

- A. Each emergency exit shall comply with FMVSS 217, 49 CFR § 571.217, regarding the number of exits, types of exits and location of exits based on the capacity of the vehicle.
1. Side Emergency exit doors
 - a. A dedicated aisle of at least 12 inches in width, referenced to the rear of the emergency exit door is required.
 - b. Side emergency exit doors shall be hinged on the forward edge.
 - c. When not fully latched, side emergency exit door shall actuate a signal audible to the driver by means of a mechanism actuated by the latch when the ignition switch is on.

- d. A security locking system designed to prevent vandalism may be installed provided it meets all specifications of Item 42 D.

2. Roof exits/vents

- a. All vehicles shall be equipped with a minimum of one emergency roof exit/vent approved by the Department of Education.
- b. When not fully latched, this exit shall actuate a signal audible to the driver by means of a mechanism actuated by the latch when the ignition switch is on.
- c. A roof exit/vent security locking system designed to prevent vandalism may be installed provided it meets all specifications of Item 42 D.
- d. When a single roof exit is installed, it shall be located as near as practicable to the longitudinal midpoint of the passenger compartment, and shall be installed such that the centerline of the hatch is on the longitudinal centerline of the bus.
- e. If two roof exits are utilized, they shall be located as near as practicable to the points equidistant between the longitudinal midpoint of the passenger compartment and the front and the rear of the passenger compartment.

NOTE: No removal or cutting of any roof structural component shall occur during installation. If the installation required by subdivisions 2 d and 2 e of this section cannot be accomplished as described, then prior approval by the ~~Pupil Transportation Service~~ Department of Education will be required through a written request from the local school division.

- f. Roof exits/vents shall have rustproof hardware.
- g. Roof exits/vents shall be hinged in the front and be equipped with an outside release handle.

3. Emergency exit windows.

- a. Push-out emergency windows are permissible, if required by FMVSS 217, 49 CFR § 571.217.
- b. When not fully latched, the emergency exit window shall actuate a signal audible to the driver by means of a mechanism actuated by the latch.
- c. No emergency exit window shall be located directly in front of a side emergency exit door.

45. Floor covering.

- A. Floor in under seat area, including tops of wheel housings, driver's compartment and toe board shall be covered with fire-resistant rubber floor covering or an approved

- equivalent, having minimum overall thickness of .125 inch. Driver's compartment and toe board area shall be trimmed with molding strips behind the cowl face line.
- B. Floor covering in aisle shall be of aisle-type fire resistant rubber or an approved equivalent, nonskid, wear-resistant and ribbed. Minimum overall thickness shall be .1875 inch measured from tops of ribs. Rubber floor covering shall meet federal specifications ZZ-M71d.
 - C. Floor covering shall be permanently bonded to floor, and shall not crack when subjected to sudden changes in temperature. Bonding or adhesive material shall be waterproof and shall be of the type recommended by manufacturer of floor-covering material. All seams shall be sealed with waterproof sealer.
 - D. All floor covering seams shall be covered with trim and fastened with screws.

46. Heaters.

- A. Hot water heaters of fresh air or combination fresh air and recirculating type, with power defrosters, are required.
- B. Heaters shall bear nameplate rating affixed by heater manufacturer on top of heater shell.
- C. Heaters shall be capable of maintaining inside temperature of 50° F, with an outside temperature of 20° F when the bus is loaded to one-half capacity.
- D. The heater wiring shall be connected to the cold side of the ignition switch through a continuous duty solenoid relay.
- E. The power defroster shall deliver a sufficient amount of heated air distributed through a windshield duct, nozzle or nozzles to defog and de-ice the entire windshield, and to defog the driver's window. The duct, nozzle, or nozzles shall be designed to prevent objects from being placed in any manner that would obstruct the flow of air.
- F. Water circulation cut-off valves in the supply and return lines, a minimum of $\frac{3}{4}$ inch diameter, shall be at or near the engine. A water flow-regulating valve in the pressure line for convenient operation by the driver is also required. All valves shall be $\frac{1}{4}$ turn ball type.
- G. Heater hoses, including those in engine compartment, shall be supported in such manner that hose chafing against other objects will not occur nor shall suspended water lines interfere with routine vehicle maintenance.
- H. All water hoses in driver or passenger area shall be shielded.
- I. An auxiliary heater of recirculating type, having a minimum capacity of 60,000 BTU output, shall be installed under the second seat behind the wheel housing. There shall be a grille or guard over exposed heater cores to prevent damage by pupils' feet.
- J. Exception: Type A and D vehicles.

1. Front heater with high output and defroster shall be furnished by the chassis manufacturer.
 2. The body manufacturer shall provide an additional under seat heater near the rear of the bus.
- K. All heater cores shall be the coiled tubing fin type approved by ~~Pupil Transportation Service~~ Department of Education.

47. Identification of school buses.

- A. For purposes of identification, school buses shall be lettered as follows:
1. Lettering shall be placed according to Diagrams 7 and 8. Lettering shall be of black paint or vinyl and conform to “Series B” for Standard Alphabets for Highway Signs.
 2. Both the front and rear of the body shall bear the words, “SCHOOL BUS” in black letters eight inches in height.
 3. All school buses shall have a black painted or vinyl number four inches high on the rear of the body, on the right side just back of the entrance door, and on the left side just back of the warning sign. The number shall also be placed on the front of the bus in a location approved by the ~~Pupil Transportation Service~~ Department of Education.
 4. The name of the school division shall be on each side of the bus in black letters four inches high – as “... COUNTY PUBLIC SCHOOLS,” OR “...CITY PUBLIC SCHOOLS.”
 5. Options:
 - a. The bus number may be placed in the center of the bus roof with black (12-inch minimum) numbers.
 - b. A black number (four-inch maximum) may be placed on the inside rear header. It shall not interfere with emergency door lettering.

48. Inside height.

- A. Inside body height shall be 72 inches or more, measured metal to metal, at any point on longitudinal center line from front vertical bow to rear vertical bow.
- B. Exception: Type A conversion van – Inside body height shall be 62 inches minimum.

49. Insulation.

- A. Ceilings and walls shall be coated with proper materials to deaden sounds and to reduce vibrations to a minimum. Fiberglass thermal insulation (minimum R-value of 5.5) shall

be used to insulate walls and roof between inner and outer panels.

50. Interior.

- A. Interior of bus shall be free of all unnecessary projections likely to cause injury. This standard requires inner lining on ceilings and walls. Ceiling panels shall be constructed so as to contain lapped joints with all exposed edges hemmed to minimize sharpness. If lateral panels are used, forward panels shall be lapped by rear panels.

51. Lights and Signals.

- A. No lights or signals other than specified here shall be installed on school buses, except those required by federal regulations. All lights and reflectors shall be approved by the Superintendent, Department of State Police, Commonwealth of Virginia.
 - 1. Clearance lights. Body shall be equipped with two red clearance lamps at rear, two amber clearance lamps at front, and intermediate side marker lamps on buses 30 feet or more in length controlled by headlight switch. They shall be of armour type.
 - 2. Identification lamps. Three amber lamps shall be mounted on front and three red lamps on rear of body controlled by the headlight switch.
 - 3. Stop and tail lamps. Bus shall be equipped with two matched stop and tail lamps of heavy duty type, which shall be in combination, emitting red light plainly visible from a distance of at least 500 feet to rear, and mounted on rear end with their centers not less than 12 nor more than 24 inches from plane side of body, and not less than six or more than 18 inches below D-glass in rear of body. They shall be approximately seven inches in diameter or, if a shape other than round, a minimum 38 square inches of illuminated area and shall meet SAE specifications. These lights shall be on the same horizontal line with the turn signal units and shall not flash.
 - 4. Back-up lamps. Back-up lamps shall be mounted on the rear of the body and shall be illuminated when the ignition switch is energized and reverse gear is engaged.
 - 5. Interior lamps. Interior lamps shall be provided which adequately illuminate aisles and step well.
 - 6. Turn signal units. Bus shall be equipped with Class A, flashing turn signal units of heavy-duty type. These signals shall be independent units equipped with amber lenses on all faces. The turn signals/directional signal units shall activate only when ignition is in "on" position. A pilot light or lights shall indicate when these lights are activated. The front lights shall be mounted near the front corners of chassis on each side. The rear lights shall be seven inches in diameter, **or if a shape other than round, the lights must be 38 square inches in area** and mounted not less than six nor more than 18 inches from plane of the side of the body and not less than six nor more than 18 inches below D-glass in rear of body. They shall be on the same horizontal line with the stop and tail lights required in

3 above. Turn signal lens shall contain directional arrows made into the lens or light.

a. In addition to the turn signals described above, two amber lenses metal turn signal lamps of armour-type with a minimum of four candlepower each shall be mounted on the body side at approximate seat level height and located just to the rear of the entrance door on the right side of the body and approximately the same location on the left side. They are to be connected to and function with the regular turn signal lamps. Such lamps shall provide 180° angle vision and if painted, they shall be black.

~~b. A list of approved turn signal lights will be supplied to the body manufacturers by the Pupil Transportation Service, Department of Education. The use of lights not on this list will not be approved.~~

c. Exception: Type A – Turn signals shall be chassis manufacturer's standard.

7. Hazard warning signal. The turn signal units shall also function as the hazard warning system. The system shall operate independently of the ignition switch and, when energized, shall cause all turn signal lamps to flash simultaneously.

8. Reflex reflectors. (Class A) Two amber lights and two amber reflectors (they may be combined) shall be mounted, one on each side, near the front of the chassis. Two ~~four-inch~~ three-inch red reflectors shall be mounted, one on each side near the rear of the body and two ~~four-inch~~ three-inch red reflectors shall be mounted on the rear above the bumper. Two intermediate amber ~~four-inch~~ three-inch reflectors, one on each side near the middle of the bus, shall be mounted on buses 30 feet or more in length. They shall be mounted on panel above floor line rub rail ~~and be metal encased.~~

9. School bus traffic warning lights.

a. Buses shall be equipped with four red lights and four amber lights. One amber light shall be located near each red light, at the same level, but closer to the vertical centerline of the bus. All lights shall comply with SAE standards for school bus warning lamps.

b. The traffic warning light system shall be wired so that the amber lights are activated manually by a hand operated switch. When door is opened, amber lights will be automatically deactivated and red lights, warning sign with flashing lights and crossing control arm shall be activated. When door is closed, all lights shall be deactivated. No lights shall come on when door is reopened unless the manual switch is depressed. There shall also be a cancellation switch in case lights are accidentally activated or when no stop needs to be made.

c. The control circuit shall be connected to the cold side of the ignition switch with the master push button cancel switch mounted on the accessory console, clearly distinguished, visible and accessible to the

driver.

- d. The flasher and the relay shall be fastened in a compartment in the driver area and be easily accessible for servicing. The location of the flasher shall be approved by ~~Pupil Transportation Service~~, Department of Education.
 - e. System shall contain an amber pilot light for amber lamps and a red pilot light for red lamps, clearly visible to the driver, to indicate when system is activated.
 - f. A three-inch black painted border around the lamps is required if not equipped with a black painted housing.
 - g. All electrical connections shall be soldered or connected by an acceptable SAE method.
 - h. All switches and pilot lights shall be properly identified by labels.
 - i. There shall be an interrupt feature in the system to interrupt the traffic warning sign and the crossing control arm when their use is not desired. This feature shall consist of a double throw relay and a push button momentary switch.
 - j. Manual switch, cancel switch and interrupt switch shall be push button or flip-type momentary switches.
10. School bus traffic warning sign must conform to FMVSS 131.
- a. Warning sign shall be mounted on the left side near the front of the bus immediately below the window line.
 - b. Sign shall be of the octagon series, 18 inches in diameter, and be equipped with wind guard. The sign shall have a red background with a ½ inch white border, and the word “STOP” on both sides in white letters, six inches high and one inch wide. The sign shall be reflective.
 - c. Sign shall have double-faced alternately flashing red lights, four inches in diameter, located at the top and bottom most portions of the sign, one above the other.
 - d. The sign shall be connected and energized through the red traffic warning lamps.
 - e. Air operated signs require air pressure regulator in addition to control valve. Source of supply shall be the main air tank with a pressure protection valve at the tank.
 - f. Sign and components shall comply with all provisions of SAEJ 1133. A

~~list of approved traffic warning signs and components will be supplied by the Pupil Transportation Service, Department of Education.~~

11. School bus crossing control arm.

- a. An approved crossing control arm shall be mounted on the right end of the front bumper with mounting brackets appropriate for the bumper configuration. ~~Information on such approved arms will be supplied by the Pupil Transportation Service, Department of Education.~~
- b. The arm shall be activated in conjunction with the traffic warning sign.
- c. The arm when in the stored position shall have a magnetic or other suitable latch to secure the arm against the bumper.
- d. Source of supply for air-operated arms shall be the main air supply tank with pressure protection valve at tank.
- e. Appropriate grommets or a loom shall be used where wires or tubes go through holes in bumper and firewall.

12. Strobe warning light.

- a. A white flashing strobe light shall be installed on the center rear **one – third portion of the roof a minimum of 42 inches from the rear of the roof edge, located aft of the rearmost roof hatch.** Light shall have a single clear lens emitting light 360 degrees around its vertical axis. A manual switch and a pilot light must be included to indicate when the light is in operation.
- b. The strobe light shall operate when the bus transports students during periods of reduced visibility caused by atmospheric conditions other than darkness. These lights may also be used anytime the bus is transporting school children.
- c. ~~A list of approved strobe lights and components will be supplied by the Pupil Transportation Service, Department of Education.~~

52. Metal treatment.

- A. All metal parts that will be painted shall be chemically cleaned, etched, zinc-phosphate-coated, and zinc-chromate or epoxy-primed or conditioned by equivalent process.

53. Mirrors.

- A. Interior rear view mirror at least 6 x 30 inches, metal encased safety glass of at least 1/8 inch thickness, which will afford good view of pupils and roadway to rear and shall be installed in such a way that vibration will be reduced to a minimum. It shall have rounded corners and protected edges.

- B. Exception: Type A - Interior mirror to be 6 x 16 inches.
- C. All buses shall have a mirror system that conforms to FMVSS 111, 49 CFR § 271.111 as amended.
- D. Thermostatically controlled heated exterior mirrors are permissible.
- E. Motorized exterior mirrors may be used.

54. Mounting.

- A. Chassis frame shall extend to rear edge of rear body cross member. Bus body shall be attached to chassis frame in such manner as to prevent shifting or separation of body from chassis under severe operating conditions.
- B. Body front shall be attached and sealed to chassis cowl in such manner as to prevent entry of water, dust, and fumes through joint between chassis cowl and body.
- C. Insulating material shall be placed at all contact points between body and chassis frame. Insulating material shall be approximately ¼ inch thick and shall be so attached to chassis frame or body member that it will not move under severe operating conditions.
- D. Exception: Type A – Standard does not apply.

55. Openings.

- A. Any openings in body or front fenders of chassis resulting from change necessary to furnish required components shall be sealed. (See Item 21 and Item 40 K.)

56. Overall length.

- A. Overall length of bus shall not exceed ~~36 feet for conventional flat-faced cowl units or~~ 40 feet for Type D.

57. Overall width.

- A. Overall width of bus shall not exceed 100 inches, including traffic-warning sign in closed position. Outside rearview mirrors are excluded.

58. Rub Rails.

- ~~A. There shall be one rub rail located on each side of bus immediately below window level which shall extend from rear side of entrance door completely around bus body (except for emergency door) to point of curvature near outside cowl on left side. If floor level rub rail extends to emergency doorpost in rear, this rub rail may stop at rear side post.~~
- ~~B. Exception: This rub rail is not required between the front body post and rear side post if an internal frame member (fortress rail) of greater strength is positioned immediately below the window level. The rub rail shall be applied from the last side post to the~~

~~emergency doorpost.~~

- ~~C. — There shall be rub rail located approximately at floor line which shall extend from rear side of entrance door completely around bus body (except for emergency door) to point of curvature near outside cowl on left side, except at wheel housings. If the window level rub rail extends to emergency doorpost in rear, this rub rail may stop at rear side post.~~
- ~~D. — All rub rails shall be attached at each body post and all other upright structural members.~~
- ~~E. — All rub rails shall be of four inches or more in width, shall be of 16-gauge steel, and shall be constructed in corrugated or ribbed fashion.~~
- ~~F. — All rub rails shall be applied outside body or outside body posts. Pressed-in or snap-on rub rails do not satisfy this requirement.~~
- ~~G. — Certain exceptions may be approved for heater air intake and for rear engine type buses.~~
- ~~H. — Exception: Type A vehicles — Rail required in subsection A of this section does not apply on conversion vans.~~

- A. There shall be one rub rail located on each side of the bus at seat cushion level which extends from the rear side of the entrance door completely around the bus body (except the emergency door or any maintenance access door) to the point of curvature near the outside cowl on the left side, *or to the front corner of the bus body.***
- B. There shall be one additional rub rail located on each side at, or no more than 10 inches above, the floor line. The rub rail shall cover the same longitudinal area as the upper rub rail, except at the wheelhousings, and it shall extend only to the radii of the right and left rear corners.**
- C. Both rub rails shall be attached at each body post and at all other upright structural members.**
- D. Each rub rail shall be four inches or more in width in their finished form, shall be constructed of 16-gauge steel or suitable material of equivalent strength and shall be constructed in corrugated or ribbed fashion.**
- E. Both rub rails shall be applied outside the body or outside body posts. (Pressed-in or snap-on rub rails do not satisfy this requirement.) For Type A-1 vehicles using the body provided by the chassis manufacturer or for types A-2, B, C and D using the rear luggage or rear engine compartment, rub rails need not extend around the rear corners.**
- F. There shall be a rub rail or equivalent bracing located horizontally at the bottom edge of the body side skirts.**

59. Seat belt for driver.

- A. A locking retractor type 2-lap belt/shoulder harness seat belt shall be provided for the driver. Each belt section shall be booted so as to keep the buckle and button-type latch**

off the floor and within easy reach of the driver. Belt shall be anchored in such a manner or guided at the seat frame so as to prevent the driver from sliding sideways from under the belt.

60. Seats.

- A. All seats shall have minimum depth of 14 inches.
- B. In determining seating capacity of bus, allowable average rump width shall be 13 inches. (See Item 35.)
- C. All seats shall conform to FMVSS 222.
- D. Seating plans for buses with wheelchair positions see Item 76 and Item 81. ~~All other seating plans will be approved annually by Pupil Transportation Service, Department of Education.~~ **All school bus seating shall be of a three (3) to three (3) arrangement with the exception of the last row seat to the left of any rear emergency door. This seat shall be of a maximum width of 26" limiting it to two (2) passengers. There shall be provided a full width barrier in front of each seating position. Type D, Rear engine buses shall be exempt from the last row requirements.**
- E. Floor track seat securement may be used.
- F. Passenger seat cushion retention system shall be employed to prevent passenger seat cushions from disengaging from seat frames in event of accident. Each seat cushion retention system shall be capable of withstanding vertical static load equal to minimum of five times weight of cushion. System shall also be capable of withstanding forward or rearward static load equal to 20 times weight of cushion.
- G. No bus shall be equipped with jump seats or portable seats. (See Item 89.)
- H. Seat spacing shall provide a minimum of 25-inch knee room at center of seat, when measured horizontally from back to back, at cushion level.
- I. Seat and back cushions of all seats shall be designed to safely support designated number of passengers under normal road conditions encountered in school bus service. Covering of seat cushions shall be of material having 42 ounce finished weight, 54-inch width, and finished vinyl coating of 1.06 broken twill. Material on polyester drill and polyester cotton twill knit backing with equal vinyl coating which meets or exceeds the laboratory test results for the 42 ounce 1.06 covering may be used. Padding and veering on all seats shall comply with provisions of FMVSS 302, 49 CFR § 571.302.
- J. Minimum distance between steering wheel and backrest of driver's seat shall be 11 inches. Driver's seat shall have fore-and-aft adjustment of not less than four inches and up and down adjustment of three inches. It shall be manually adjustable and strongly attached to floor.
- K. Minimum of 36-inch headroom for sitting position above top of undepressed cushion line of all seats shall be provided. Measurement shall be made vertically not more than seven inches from sidewall at cushion height and at fore-and-aft center of cushion.

- L. Backs of all seats of similar size shall be of same width at top and of same height from floor and shall slant at same angle with floor.
- M. Seat back heights shall be between 19 and 24 inches measured from cushion level.

61. Barriers.

- A. A padded barrier shall be installed at rear of driver's seat in such a position as not to interfere with adjustment of driver's seat.
- B. A padded barrier shall be installed at rear of entrance step well. Barrier to coincide with length of the right front seat cushion with minimum width of 26 inches and shall have a modesty panel to extend from bottom of barrier to floor.

62. Steps.

- A. First step at service door shall be not less than 10 inches and not more than 14 inches from ground, based on standard chassis specifications.
- B. Service door entrance may be equipped with two-step or three-step step well. Risers in each case shall be approximately equal.
- C. Steps shall be enclosed to prevent accumulation of ice and snow.
- D. Steps shall not protrude beyond side bodyline.
- E. Grab handle not less than 20 inches in length shall be provided in unobstructed location inside doorway, but shall not be attached so that it will interfere with the opening of the glove compartment door. This handle shall be designed to eliminate exposed ends that would catch passenger clothing and shall be so placed in a position to aid small children entering the bus.
- F. Step covering. All steps, including floor line platform area, shall be covered with 3/16 inch rubber metal-backed treads with at least 1 ½ inch white nosing (or three inch white rubber step edge with metal back at floor line platform area).
 - 1. Step tread minimum overall thickness shall be 3 /16 inch.
 - 2. Backing of tread shall be permanently bonded to rubber no-slip surface.
 - 3. 3/16 inch step tread shall have a 1 ½ inch white nosing as integral piece without any joint
 - 4. Rubber portion of step treads shall have following characteristics:
 - a. Special compounding for good abrasion resistance and high co-efficient of friction
 - b. Flexibility so that it can be bent around a ½ inch mandrel both at 20° F

and 130° F without breaking, cracking, or crazing

- c. Show a durometer hardness 85 to 95.
- d. Have the surface constructed in a manner to prevent slippage.

63. Stirrup Steps.

- A. There shall be one folding stirrup step and suitably located handle on each side of front of body for easy accessibility for cleaning windshield and lamps.
- B. Exception: Type A vehicles – Standard does not apply.

64. Storage and luggage compartments.

- A. Vehicles may be equipped with luggage compartments or tool compartments in the body skirt provided they do not reduce ground clearance to less than 14 ½ inches from bottom of compartment and that the addition of the compartments does not exceed the vehicles' GVWR.

65. Sun Shield.

- A. Interior adjustable transparent sun shield, darkest shade available, not less than 6 x 30 inches shall be installed in position convenient for use by driver.
- B. Exception: Type A vehicles – Manufacturer's standard is acceptable.

66. Tail pipe.

- A. Tail pipe shall extend to but not more than 1 ½ inches beyond outer edge of rear bumper. (See Item 12 B.)

67. Undercoating.

- A. Entire underside of bus body, including floor sections, cross members, and below floor line side panels, shall be coated with rust-proofing compound for which compound manufacturer has issued notarized certification of compliance to bus body building that compounds meet or exceed all performance requirements of Federal Specification TT-C-520 b using modified test procedures for following requirements:
 - 1. Salt spray resistance – pass test modified to 5.0% salt and 1,000 hours
 - 2. Abrasion resistance - pass
 - 3. Fire resistance - pass

- B. Undercoating compound shall be applied with suitable airless or conventional spray equipment to recommend film thickness and shall show no evidence of voids in cured film. Undercoating is expected to prevent rust under all bus service conditions for minimum of five years.

68. Ventilation and air conditioning.

- A. Body shall be equipped with suitable, controlled ventilating system of sufficient capacity to maintain proper quantity of air under operating conditions without opening of windows except in extremely warm weather.
- B. Static-type, non-closable, exhaust roof ventilators shall be installed in low-pressure area of roof panel.
- C. Air conditioning units may be installed on an optional basis. Application requires heavier electrical components and assessment by the ~~Pupil Transportation Service~~, Department of Education, on an individual unit basis.

69. Water test.

- A. Each and every school bus body, after it is mounted on chassis ready for delivery, shall be subjected to a thorough water test in which water under pressure equal to a driving rain is forced against the entire bus body from various directions. Any leaks detected are to be repaired before the bus is declared ready for delivery.

70. Wheel housings.

- A. Wheel housings shall be of full open type.
- B. Wheel housings shall be designed to support seat and passenger loads and shall be attached to floor sheets in such manner as to prevent any dust or water from entering the body.
- C. Inside height of wheel housings above floor line shall not exceed 10 inches.
- D. Wheel housings shall provide clearance for dual wheels as established by National Association of Chain Manufacturers. Mounting of housings in the wheel area must be free of protruding screws and bolts.
- E. Exception: Type A vehicles – Standard does not apply to conversion vans.

71. Windshield and Windows.

- A. All glass in windshield, windows, and doors shall be of approved safety glass, so mounted that permanent mark is visible, and of sufficient quality to prevent distortion of view in any direction. Windshield shall be AS1 and all other glass shall be AS2.
- B. Plastic glazing material of a thickness comparable to AS2 glass, meeting ANSI Standard Z 26.1 and FMVSS 205, 49 CFR § 571.205, may be used in side windows behind the

driver's compartment.

- C. Windshield shall have horizontal shade band consistent with SAE J-100 or have full tinted glass.
- D. Each full side window shall provide unobstructed emergency opening at least nine inches high and 22 inches wide, obtained either by lowering of window or by use of knock-out type split-sash windows.
- E. Approved tinted glass or plastic glazing material may be used.

72. Windshield washers.

- A. Windshield washers meeting federal requirements shall be provided and shall be controlled by a switch located on instrument panel. Reservoir shall be mounted outside passenger compartment.

73. Windshield wipers.

- A. Bus shall be equipped with variable-speed windshield wipers of air or electric-type powered by a motor or motors of sufficient power to operate wipers.
- B. Blades and arms shall be of such size that minimum blade length will be 12 inches with longer blades being used whenever possible.
- C. Wiper motor and arm linkage shall be shielded to prevent objects from being placed against them.

74. Wiring.

- A. All wiring shall conform to current standards of Society of Automotive Engineers.
- B. Circuits
 - 1. Wiring shall be arranged in at least 12 regular circuits as follows:
 - a. Head, tail, stop (brake) and instrument panel lamps
 - b. Clearance lamps
 - c. Dome and step well lamps
 - d. Starter motor
 - e. Ignition
 - f. Turn-signal units
 - g. Alternately flashing red signal lamps

- h. Horns
 - i. Heater and defroster
 - j. Emergency door buzzer
 - k. Auxiliary fan
 - l. Booster pump
- 2. Any of the above combination circuits may be subdivided into additional independent circuits.
 - 3. Whenever possible, all other electrical functions (such as electric-type windshield wipers) shall be provided with independent and properly protected circuits.
 - 4. Each body circuit shall be color coded or numbered and a diagram of the circuits shall be attached to the body in a readily accessible location.
- C. A circuit breaker shall be provided for each circuit except starter motor and ignition circuits.
 - D. A continuous duty solenoid relay operated by the ignition switch, for Circuits i, j, k, and l.
 - E. All wires within body shall be insulated and protected by covering of fibrous loom (or equivalent) that will protect them from external damage and minimize dangers from short circuits. Whenever wires pass through body member, additional protection in form of appropriate type of insert shall be provided.
 - F. All light circuits shall be such as to provide, as nearly as possible, bulb design voltage at light bulb terminals.
 - G. Wires shall be fastened securely at intervals of not more than 24 inches. All joints shall be soldered or jointed by equally effective connectors.
 - H. **Buses using multiplexed electrical systems may meet the intent of these specifications without the use of specified equipment, subject to the approval of the Department of Education.**

SPECIFICATIONS FOR LIFT-GATE SCHOOL BUSES

75. **General Requirements.**

- A. School buses or school vehicles designed for transporting children with special transportation needs shall comply with Virginia's standards applicable to school buses and Federal Motor Vehicle Safety Standards as applicable to their GVWR category.

- B. Any school bus that is used for the transportation of children, who are confined to a wheelchair or other restraining devices that prohibit use of the regular service entrance, shall be equipped with a power lift, unless a ramp is needed for unusual circumstances.
- C. Lift shall be located on the right side of the body, in no way attached to the exterior sides of the bus but confined within the perimeter of the school bus body when not extended.

76. Aisles.

- A. All aisles leading to the emergency door from wheelchair area shall be a minimum of 30 inches in width.

77. Communications.

- A. Special education buses shall be equipped with a two-way communication system. (See Item 38 A.)

78. Fastening devices.

- A. Unless otherwise specified below, fastening devices shall conform to FMVSS 222, 49 CFR § 571.222, as amended.
 - 1. Wheelchair fastening devices shall be provided and attached to the floor or walls or both to enable securement of wheelchairs in the vehicle. The devices shall be of the type that requires human intervention to unlatch or disengage. The fastening devices shall be designed to withstand forces up to 3,000 pounds per tie down leg or clamping mechanism or 12,000 pounds total for each wheelchair.
 - 2. Additional fastening devices may be needed to assist the student due to the many different configurations of chairs and exceptionalities.

79. Heaters.

- A. An additional heater shall be installed in the rear portion of the bus behind wheel wells as required in Item 53 I, except a 50,000 minimum BTU heater may be used in bodies originally designed for 31-66 passenger capacity and 34,000 minimum BTU heater may be used in bodies of 30 passengers or less. Hose to rear heater, when under body shall be encased in metal tube.

80. Identification.

- A. Buses with wheelchair lifts used for transporting children with physical disabilities shall display universal handicapped symbols located on the front and rear of the vehicle below the window line. Such emblems shall be white on blue, shall be a minimum of nine inches and a maximum of 12 inches in size, and shall be reflectorized. They shall be placed so as not to cover lettering, lamps or glass.

81. Power Lift.

- A. Lifting mechanism shall be able to lift minimum payload of 800 pounds. A clear opening

and platform to accommodate at least a 30-inch wide wheelchair shall be provided.

- B. When the platform is in the fully up position, it shall be locked in position mechanically and also shall have an additional support, or lug in the door to prevent the lift from resting against the door.
- C. Controls shall be provided that enable the operator to activate the lift mechanism from either inside or outside of the bus. There shall be a means of preventing the lift platform from falling while in operation due to a power failure.
- D. Power lifts shall be so equipped that they may be manually raised in the event of power failure of the power lift mechanism.
- E. Lift travel shall allow the lift platform to rest securely on the ground.
- F. All edges of the platform shall be designed to restrain wheelchair and to prevent operator's feet from being entangled during the raising and lowering process.
- G. Up and down movements of the lift platform shall be perpendicular to the plane of the bus body in all positions.
- H. A restraining device shall be affixed to the outer edge (curb end) of the platform that will prohibit the wheelchair from rolling off the platform when the lift is in any position other than fully extended to ground level.
- I. A self-adjusting, skid resistant plate shall be installed on the outer edge of the platform to minimize the incline from the lift platform to the ground level. This plate, if so designed, may also suffice as the restraining device described in subsection H above. The lift platform shall be skid resistant.
- J. A circuit breaker or fuse energized through the ignition side of the accessory solenoid shall be installed between power source and lift motor if electrical power is used.
- K. The lift mechanism shall be equipped with adjustable limit switches or by-pass valves to prevent excessive pressure from building in the hydraulic system when the platform reaches the full up position or full down position.
- L. Handrails shall be required.
- M. Sharp or protruding edges or components shall be padded.
- N. A safety cut off master switch may be installed.

82. Ramps.

- A. When a power lift system is not adequate to load and unload students having special and unique needs, a ramp device may be installed.
 - 1. If a ramp is used, it shall be of sufficient strength and rigidity to support the special device, occupant, and attendants. It shall be equipped with a protective flange on each longitudinal side to keep special device on the ramp.

2. Floor of ramp shall be of nonskid construction.
3. Ramp shall be of weight and design, and equipped with handles, to permit one person to put ramp in place and return it to its storage place.

83. Regular service entrance.

- A. In Type D vehicles, there shall be three step risers, of equal height, in the entrance well.
- B. An additional foldout step may be provided which will provide for the step level to be no more than six inches from the ground level.
- C. Three step risers in Type C vehicles are optional.

84. Restraining devices.

- A. Seat frames may be equipped with attachments or devices to which restraining harnesses or other devices may be attached. Attachment framework or anchorage devices, if installed, shall conform to FMVSS 210, 49 CFR § 571.210.

85. Seating arrangements.

- A. Flexibility in seat spacing to accommodate special devices shall be permitted due to the constant changing of passenger requirements.
- B. There shall be a padded barrier forward of any standard seating position and between lift-gate and first seat to rear of lift-gate. A wheelchair position immediately forward of lift-gate shall have a barrier between lift and wheelchair. (See Item 60.)

86. Special light.

- A. Lights shall be placed inside the bus to sufficiently illuminate lift area and shall be activated from door area. An outside light to be activated when lift door is open and deactivated when lift door is closed is permissible.

87. Special service entrance.

- A. Bus bodies may have a special service entrance constructed in the body to accommodate a wheelchair lift for the loading and unloading of passengers.
- B. The opening to accommodate the special service entrance shall be at any convenient point on the right (curb side) of the bus and far enough to the rear to prevent the doors, when open, from obstructing the right front regular service door (excluding a regular front service door lift).
- C. The opening shall not extend below the floor level. Outboard type lifts shall be used.
- D. The opening, with doors open, shall be of sufficient width to allow the passage of

wheelchairs. The minimum clear opening through the door and the lift mechanism shall be 30 inches in width.

- E. A drip molding shall be installed above the opening to effectively divert water from entrance.
- F. Entrance shall be of sufficient width and depth to accommodate various mechanical lifts and related accessories as well as the lifting platform.
- G. Doorposts and headers from entrance shall be reinforced sufficiently to provide support and strength equivalent to the areas of the side of the bus not used for service doors.
- H. Special service entrance doors shall be equipped with padding at the top edge of the door opening. Pad shall be at least three inches wide and one inch thick and extend the full width of the door opening.

88. Special service entrance doors.

- A. A single door may be used if the width of the door opening does not exceed 43 inches.
- B. Two doors shall be used if any door opening would have to exceed 43 inches.
- C. All doors shall open outwardly.
- D. All doors shall have positive fastening devices approved by Pupil Transportation Services to hold doors in the open position.
- E. All doors shall be weather sealed and on buses with double doors, they shall be so constructed that a flange on the forward door overlaps the edge of the rear door when closed.
- F. When dual doors are provided, the rear door shall have at least a one-point fastening device to the header. The forward mounted door shall have at least three-point fastening devices. One shall be to the header, one to the floor line of the body, and the other shall be into the rear door. These locking devices shall afford maximum safety when the doors are in the closed position. The door and hinge mechanism shall be of a strength that will provide for the same type of use as that of a standard entrance door.
- G. Door materials, panels, and structural strength shall be equivalent to the conventional service and emergency doors. Color, rub rail extensions, lettering and other exterior features shall match adjacent sections of the body.
- H. Each door shall have windows set in ~~rubber~~ **a waterproof manner** compatible within one inch of the lower line of adjacent sash.
- I. Doors shall be equipped with a device that will actuate a ~~red~~ flashing visible signal located in the driver's compartment when doors are not securely closed and ignition is in "on" position.

- J. A switch shall be installed so that the lifting mechanism will not operate when the lift platform doors are closed.

89. Special optional equipment.

- A. Special seats for attendants may be installed on an optional basis. The location, restraints, and so forth shall be assessed and approved on an individual unit basis. All equipment shall be secured properly.

**2004-2005 School Bus Type Specifications
(proposed)**

NOTICE

These Specifications define certain, but not all, components required on school bus chassis purchased by public school divisions. The requirements for chassis are contained in *Regulations Governing Pupil Transportation Including Minimum Standards for School Buses in Virginia*. Copies of the regulations and standards can be reviewed at the chassis manufacturer's zone/district office or at the office of the local superintendent of schools.

Any variation from the specifications, in the form of additional equipment or changes in style of equipment, without prior approval of the Pupil Transportation Service, Department of Education, is prohibited.

The responsibility for compliance with these school bus specifications rests with dealers and manufacturers. If any dealers or manufacturers sell school bus vehicles that do not conform to any or all of these specifications, a general notice will be sent to all school divisions advising that equipment supplied by such dealer or manufacturer will be disapproved for school transportation until further notice. A copy of the notice will be sent to the dealer or manufacturer and will remain in effect until full compliance by the dealer or manufacturer is assured.

**MINIMUM SPECIFICATIONS FOR 2005 SCHOOL BUS CHASSIS TO MEET
REQUIREMENTS OF VIRGINIA STATE BOARD OF EDUCATION**

TYPE "C" 35 PASSENGER CONVENTIONAL

<u>GVWR</u>	21,000
<u>WHEELS</u>	8-STUD DISC – 22.5" X 6.75"
<u>TIRES</u>	9R22.5 – 12 PLY
<u>FRAME</u>	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS
<u>STEERING</u>	POWER – MEETING VIRGINIA SPECIFICATIONS
<u>FRONT BUMPER</u>	3/16" STEEL
<u>FRONT AXLE</u>	6,000 LB.
<u>REAR AXLE</u>	15,000 LB.
<u>BRAKES</u>	HYDRAULIC DISC W/ABS (WITH ALLISON 2200 PTS ONLY) – OR -FULL AIR – 13.2 CFM COMPRESSOR – AIR DRYER (5 SPEED DIRECT OR ALLISON 2100 PTS ONLY)
<u>SUSPENSION</u>	FRT. SPRINGS 3,000 LB. EA. @ GRD. REAR SPRINGS 7,500 LB. EA. @ GRD. FRT. AND REAR SHOCK ABSORBERS
<u>ENGINE</u>	175 H.P. ELECTRONIC HAND THROTTLE ECM SET TO MAXIMUM OF 55 MPH
<u>TRANSMISSION</u>	5 SPEED DIRECT, ALLISON 2200 PTS, OR ALLISON 2100

PTS, SEE BRAKES FOR AUTHORIZED CONFIGURATIONS.

<u>DRIVE SHAFT</u>	GUARDS ON ALL SHAFTS
<u>FUEL TANK</u>	60 GALLON
<u>AIR CLEANER</u>	DRY ELEMENT TYPE WITH RESTRICTION GAUGE
<u>OIL FILTER</u>	1-QUART – PER MANUFACTURER
<u>BATTERY</u>	750CCA
<u>ALTERNATOR</u>	160AMP 4 GA. CHARGING AND GROUND CIRCUITS
<u>HORN</u>	PER FMVSS
<u>LIGHTS</u>	PER FMVSS AND DAYTIME RUNNING LIGHTS
<u>GAUGES</u>	SPEEDOMETER, TACHOMETER, FUEL, OIL PRESSURE, COOLANT TEMP. & VOLTMETER
<u>COLOR</u>	FRAME, WHEELS, BUMPER, RAILS AND LETTERING BLACK - -BACK OF MIRRORS, NON GLOSS BLACK - - BALANCE YELLOW

**MINIMUM SPECIFICATIONS FOR 2005 SCHOOL BUS CHASSIS TO MEET
REQUIREMENTS OF VIRGINIA STATE BOARD OF EDUCATION**

TYPE “D” 42 PASSENGER ENGINE FRONT

<u>GVWR</u>	27,800
<u>WHEELS</u>	10-STUD DISC – 22.5” X 7.5”
<u>TIRES</u>	11R22.5 – 14 PLY
<u>FRAME</u>	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS
<u>STEERING</u>	POWER – MEETING VIRGINIA SPECIFICATIONS
<u>FRONT BUMPER</u>	3/16” STEEL
<u>FRONT AXLE</u>	10,800 LB.
<u>REAR AXLE</u>	17,000 LB.

<u>BRAKES</u>	FULL AIR– 13.2 CF COMP– 16.5” X 5” FRT– 16.5” X 7” REAR–AIR DRYER
<u>SUSPENSION</u>	FRT. SPRINGS 5,400 LB. EA. @ GRD. REAR SPRINGS 8,500 LB. EA. @ GRD. FRT. AND REAR SHOCK ABSORBERS
<u>ENGINE</u>	190 H.P. ELECTRONIC HAND THROTTLE ECM SET TO MAXIMUM OF 55 MPH
<u>TRANSMISSION</u>	ALLISON 2500 PTS
<u>DRIVE SHAFT</u>	GUARDS ON ALL SHAFTS
<u>FUEL TANK</u>	60 GALLON
<u>AIR CLEANER</u>	DRY ELEMENT TYPE WITH RESTRICTION GAUGE
<u>OIL FILTER</u>	1-QT. PER MANUFACTURER
<u>BATTERY</u>	750CCA
<u>ALTERNATOR</u>	160AMP 4 GA. CHARGING AND GROUND CIRCUITS
<u>HORN</u>	PER FMVSS
<u>LIGHTS</u>	PER FMVSS AND DAYTIME RUNNING LIGHTS
<u>GAUGES</u>	SPEEDOMETER, TACHOMETER, FUEL, OIL PRESSURE, COOLANT TEMP. & VOLTMETER
<u>COLOR</u>	FRAME, WHEELS, BUMPER, RAILS AND LETTERING – BLACK - -BACK OF MIRRORS, NON GLOSS BLACK - - BALANCE YELLOW

**MINIMUM SPECIFICATIONS FOR 2005 SCHOOL BUS CHASSIS TO MEET
REQUIREMENTS OF VIRGINIA STATE BOARD OF EDUCATION**

TYPE “C” 53 PASSENGER CONVENTIONAL

<u>GVWR</u>	25,000
<u>WHEELS</u>	8-STUD DISC – 22.5” X 6.75”
<u>TIRES</u>	9R22.5 – 12 PLY
<u>FRAME</u>	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS

<u>STEERING</u>	POWER – MEETING VIRGINIA SPECIFICATIONS
<u>FRONT BUMPER</u>	3/16” STEEL
<u>FRONT AXLE</u>	8,000 LB.
<u>REAR AXLE</u>	17,000 LB.
<u>BRAKES</u>	HYDRAULIC DISC W/ABS (WITH ALLISON 2400 ONLY) – OR - FULL AIR – 13.2 CFM COMPRESSOR – AIR DRYER (5 SPEED DIRECT OR ALLISON 2000 ONLY)
<u>SUSPENSION</u>	FRT. SPRINGS 4,000 LB. EA. @ GRD. REAR SPRINGS 8,500 LB. EA. @ GRD. FRT. AND REAR SHOCK ABSORBERS
<u>ENGINE</u>	175 H.P. ELECTRONIC HAND THROTTLE ECM SET TO MAXIMUM OF 55 MPH
<u>TRANSMISSION</u>	5 SPEED DIRECT, ALLISON 2200 PTS, OR ALLISON 2100 PTS, SEE BRAKES FOR AUTHORIZED CONFIGURATIONS.
<u>DRIVE SHAFT</u>	GUARDS ON ALL SHAFTS
<u>FUEL TANK</u>	60 GALLON
<u>AIR CLEANER</u>	DRY ELEMENT TYPE WITH RESTRICTION GAUGE
<u>OIL FILTER</u>	1-QT. PER MANUFACTURER
<u>BATTERY</u>	750CCA
<u>ALTERNATOR</u>	160AMP 4 GA. CHARGING AND GROUND CIRCUITS
<u>HORN</u>	PER FMVSS
<u>LIGHTS</u>	PER FMVSS AND DAYTIME RUNNING LIGHTS
<u>GAUGES</u>	SPEEDOMETER, TACHOMETER, FUEL, OIL PRESSURE COOLANT TEMP. & VOLTMETER
<u>COLOR</u>	FRAME, WHEELS, BUMPER, RAILS AND LETTERING – BLACK - -BACK OF MIRRORS, NON GLOSS BLACK - - BALANCE YELLOW

**MINIMUM SPECIFICATIONS FOR 2005 SCHOOL BUS CHASSIS TO MEET
REQUIREMENTS OF VIRGINIA STATE BOARD OF EDUCATION**

TYPE "D" 53 PASSENGER ENGINE FRONT

<u>GVWR</u>	27,800
<u>WHEELS</u>	10-STUD DISC – 22.5" X 7.5"
<u>TIRES</u>	11R22.5 – 14 PLY
<u>FRAME</u>	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS
<u>STEERING</u>	POWER – MEETING VIRGINIA SPECIFICATIONS
<u>FRONT BUMPER</u>	3/16" STEEL
<u>FRONT AXLE</u>	10,800 LB.
<u>REAR AXLE</u>	17,000 LB.
<u>BRAKES</u>	FULL AIR– 13.2 CF COMP– 16.5" X 5" FRT– 16.5" X 7" REAR–AIR DRYER
<u>SUSPENSION</u>	FRT. SPRINGS 5,400 LB. EA. @ GRD. REAR SPRINGS 8,500 LB. EA. @ GRD. FRT. AND REAR SHOCK ABSORBERS
<u>ENGINE</u>	190 H.P. ELECTRONIC HAND THROTTLE ECM SET TO MAXIMUM OF 55 MPH
<u>TRANSMISSION</u>	ALLISON 2500 PTS
<u>DRIVE SHAFT</u>	GUARDS ON ALL SHAFTS
<u>FUEL TANK</u>	60 GALLON
<u>AIR CLEANER</u>	DRY ELEMENT TYPE WITH RESTRICTION GAUGE
<u>OIL FILTER</u>	1-QT. PER MANUFACTURER
<u>BATTERY</u>	750CCA
<u>ALTERNATOR</u>	160AMP 4 GA. CHARGING AND GROUND CIRCUITS
<u>HORN</u>	PER FMVSS

<u>LIGHTS</u>	PER FMVSS AND DAYTIME RUNNING LIGHTS
<u>GAUGES</u>	SPEEDOMETER, TACHOMETER, FUEL, OIL PRESSURE, COOLANT TEMP. & VOLTMETER
<u>COLOR</u>	FRAME, WHEELS, BUMPER, RAILS AND LETTERING – BLACK - -BACK OF MIRRORS, NON GLOSS BLACK - - BALANCE YELLOW

MINIMUM SPECIFICATIONS FOR 2005 SCHOOL BUS CHASSIS TO MEET REQUIREMENTS OF VIRGINIA STATE BOARD OF EDUCATION

TYPE “C” 65 PASSENGER CONVENTIONAL

<u>GVWR</u>	27,500
<u>WHEELS</u>	10-STUD DISC – 22.5” X 7.5”
<u>TIRES</u>	10R22.5 – 12 PLY
<u>FRAME</u>	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS
<u>STEERING</u>	POWER – MEETING VIRGINIA SPECIFICATIONS
<u>FRONT BUMPER</u>	3/16” STEEL
<u>FRONT AXLE</u>	10,000 LB.
<u>REAR AXLE</u>	17,500LB.
<u>BRAKES</u>	FULL AIR – 13.2 CF COMPRESSOR –AIR DRYER
<u>SUSPENSION</u>	FRT. SPRINGS5,000 LB. EA. @ GRD. REAR SPRINGS 8,750LB. EA. @ GRD. FRT. AND REAR SHOCK ABSORBERS
<u>ENGINE</u>	175 H.P. ELECTRONIC HAND THROTTLE ECM SET TO MAXIMUM OF 55 MPH
<u>TRANSMISSION</u>	5 SPEED DIRECT OR ALLISON 2500 PTS
<u>DRIVE SHAFT</u>	GUARDS ON ALL SHAFTS
<u>FUEL TANK</u>	60 GALLON
<u>AIR CLEANER</u>	DRY ELEMENT TYPE WITH RESTRICTION GAUGE

<u>OIL FILTER</u>	1-QT. PER MANUFACTURER
<u>BATTERY</u>	750CCA
<u>ALTERNATOR</u>	160AMP 4 GA. CHARGING AND GROUND CIRCUITS
<u>HORN</u>	PER FMVSS
<u>LIGHTS</u>	PER FMVSS AND DAYTIME RUNNING LIGHTS
<u>GAUGES</u>	SPEEDOMETER, TACHOMETER, FUEL, OIL PRESSURE, COOLANT TEMP. & VOLTMETER
<u>COLOR</u>	FRAME, WHEELS, BUMPER, RAILS AND LETTERING – BLACK - -BACK OF MIRRORS, NON GLOSS BLACK - - BALANCE YELLOW

**MINIMUM SPECIFICATIONS FOR 2005 SCHOOL BUS CHASSIS TO MEET
REQUIREMENTS OF VIRGINIA STATE BOARD OF EDUCATION**

**TYPE “C” 65 PASSENGER CONVENTIONAL
HYDRAULIC BRAKE**

<u>GVWR</u>	26,000
<u>WHEELS</u>	10-STUD DISC – 22.5” X 7.5”
<u>TIRES</u>	10R22.5 – 12 PLY
<u>FRAME</u>	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS
<u>STEERING</u>	POWER – MEETING VIRGINIA SPECIFICATIONS
<u>FRONT BUMPER</u>	3/16” STEEL
<u>FRONT AXLE</u>	10,000 LB.
<u>REAR AXLE</u>	17,500LB.
<u>BRAKES</u>	HYDRAULIC DISC W/ABS
<u>SUSPENSION</u>	FRT. SPRINGS 5,000 LB. EA. @ GRD. REAR SPRINGS 8,750LB. EA. @ GRD. FRT. AND REAR SHOCK ABSORBERS
<u>ENGINE</u>	175 H.P. ELECTRONIC HAND THROTTLE

ECM SET TO MAXIMUM OF 55 MPH

TRANSMISSION

ALLISON 2200 PTS

DRIVE SHAFT

GUARDS ON ALL SHAFTS

FUEL TANK

60 GALLON

AIR CLEANER

DRY ELEMENT TYPE WITH RESTRICTION GAUGE

OIL FILTER

1-QT. PER MANUFACTURER

BATTERY

750CCA

ALTERNATOR

160AMP

4 GA. CHARGING AND GROUND CIRCUITS

HORN

PER FMVSS

LIGHTS

PER FMVSS AND DAYTIME RUNNING LIGHTS

GAUGES

**SPEEDOMETER, TACHOMETER, FUEL, OIL PRESSURE,
COOLANT TEMP. & VOLTMETER**

COLOR

**FRAME, WHEELS, BUMPER, RAILS AND LETTERING –
BLACK - -BACK OF MIRRORS, NON GLOSS BLACK - -
BALANCE YELLOW**

**MINIMUM SPECIFICATIONS FOR 2005 SCHOOL BUS CHASSIS TO MEET
REQUIREMENTS OF VIRGINIA STATE BOARD OF EDUCATION**

TYPE “D” 65 PASSENGER ENGINE FRONT

GVWR

29,000

WHEELS

10-STUD DISC – 22.5” X 7.5”

TIRES

11R22.5 – 14 PLY

FRAME

ONE PIECE SIDE MEMBER – FRONT TOW HOOKS

STEERING

POWER – MEETING VIRGINIA SPECIFICATIONS

FRONT BUMPER

3/16” STEEL

FRONT AXLE

12,000 LB.

REAR AXLE

17,000 LB.

<u>BRAKES</u>	FULL AIR– 13.2 CF COMP– 16.5” X 5” FRT– 16.5” X 7” REAR–AIR DRYER
<u>SUSPENSION</u>	FRT. SPRINGS 6,000 LB. EA. @ GRD. REAR SPRINGS 8,500 LB. EA. @ GRD. FRT. AND REAR SHOCK ABSORBERS
<u>ENGINE</u>	190 H.P. ELECTRONIC HAND THROTTLE ECM SET TO MAXIMUM OF 55 MPH
<u>TRANSMISSION</u>	ALLISON 2500 PTS
<u>DRIVE SHAFT</u>	GUARDS ON ALL SHAFTS
<u>FUEL TANK</u>	60 GALLON
<u>AIR CLEANER</u>	DRY ELEMENT TYPE WITH RESTRICTION GAUGE
<u>OIL FILTER</u>	1-QT. PER MANUFACTURER
<u>BATTERY</u>	750CCA
<u>ALTERNATOR</u>	160AMP 4 GA. CHARGING AND GROUND CIRCUITS
<u>HORN</u>	PER FMVSS
<u>LIGHTS</u>	PER FMVSS AND DAYTIME RUNNING LIGHTS
<u>GAUGES</u>	SPEEDOMETER, TACHOMETER, FUEL, OIL PRESSURE, COOLANT TEMP. & VOLTMETER
<u>COLOR</u>	FRAME, WHEELS, BUMPER, RAILS AND LETTERING – BLACK - -BACK OF MIRRORS, NON GLOSS BLACK - - BALANCE YELLOW

**MINIMUM SPECIFICATIONS FOR 2005 SCHOOL BUS CHASSIS TO MEET
REQUIREMENTS OF VIRGINIA STATE BOARD OF EDUCATION**

TYPE “D” 66 PASSENGER ENGINE REAR

<u>GVWR</u>	29,800
<u>WHEELS</u>	10-STUD DISC – 22.5” X 7.5”
<u>TIRES</u>	11R22.5 – 14 PLY

<u>FRAME</u>	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS
<u>STEERING</u>	POWER – MEETING VIRGINIA SPECIFICATIONS
<u>FRONT BUMPER</u>	3/16” STEEL
<u>FRONT AXLE</u>	10,800 LB.
<u>REAR AXLE</u>	19,000 LB.
<u>BRAKES</u>	FULL AIR– 13.2 CF COMP– 16.5” X 5” FRT– 16.5” X 7” REAR–AIR DRYER
<u>SUSPENSION</u>	FRT. SPRINGS 5,400 LB. EA. @ GRD. REAR SPRINGS 9,500 LB. EA. @ GRD. FRT. AND REAR SHOCK ABSORBERS
<u>ENGINE</u>	190 H.P. ELECTRONIC HAND THROTTLE ECM SET TO MAXIMUM OF 55 MPH
<u>TRANSMISSION</u>	ALLISON 2500 PTS
<u>DRIVE SHAFT</u>	GUARDS ON ALL SHAFTS
<u>FUEL TANK</u>	60 GALLON
<u>AIR CLEANER</u>	DRY ELEMENT TYPE WITH RESTRICTION GAUGE
<u>OIL FILTER</u>	1-QT. PER MANUFACTURER
<u>BATTERY</u>	750CCA
<u>ALTERNATOR</u>	160AMP 4 GA. CHARGING AND GROUND CIRCUITS
<u>HORN</u>	PER FMVSS
<u>LIGHTS</u>	PER FMVSS AND DAYTIME RUNNING LIGHTS
<u>GAUGES</u>	SPEEDOMETER, TACHOMETER, FUEL, OIL PRESSURE, COOLANT TEMP. & VOLTMETER
<u>COLOR</u>	FRAME, WHEELS, BUMPER, RAILS AND LETTERING – BLACK - -BACK OF MIRRORS, NON GLOSS BLACK - -BALANCE YELLOW

**MINIMUM SPECIFICATIONS FOR 2005 SCHOOL BUS CHASSIS TO MEET
REQUIREMENTS OF VIRGINIA STATE BOARD OF EDUCATION**

TYPE "D" 71 PASSENGER ENGINE FRONT

<u>GVWR</u>	29,000
<u>WHEELS</u>	10-STUD DISC – 22.5" X 7.5"
<u>TIRES</u>	11R22.5 – 14 PLY
<u>FRAME</u>	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS
<u>STEERING</u>	POWER – MEETING VIRGINIA SPECIFICATIONS
<u>FRONT BUMPER</u>	3/16" STEEL
<u>FRONT AXLE</u>	12,000 LB.
<u>REAR AXLE</u>	17,000 LB.
<u>BRAKES</u>	FULL AIR– 13.2 CF COMP– 16.5" X 5" FRT– 16.5" X 7" REAR–AIR DRYER
<u>SUSPENSION</u>	FRT. SPRINGS 6,000 LB. EA. @ GRD. REAR SPRINGS 8,500 LB. EA. @ GRD. FRT. AND REAR SHOCK ABSORBERS
<u>ENGINE</u>	190 H.P. ELECTRONIC HAND THROTTLE ECM SET TO MAXIMUM OF 55 MPH
<u>TRANSMISSION</u>	ALLISON 2500 PTS
<u>DRIVE SHAFT</u>	GUARDS ON ALL SHAFTS
<u>FUEL TANK</u>	60 GALLON
<u>AIR CLEANER</u>	DRY ELEMENT TYPE WITH RESTRICTION GAUGE
<u>OIL FILTER</u>	1-QT. PER MANUFACTURER
<u>BATTERY</u>	750CCA
<u>ALTERNATOR</u>	160AMP 4 GA. CHARGING AND GROUND CIRCUITS
<u>HORN</u>	PER FMVSS
<u>LIGHTS</u>	PER FMVSS AND DAYTIME RUNNING LIGHTS
<u>GAUGES</u>	SPEEDOMETER, TACHOMETER, FUEL, OIL PRESSURE,

COOLANT TEMP. & VOLTMETER

COLOR

**FRAME, WHEELS, BUMPER, RAILS AND LETTERING –
BLACK - -BACK OF MIRRORS, NON GLOSS BLACK -
BALANCE YELLOW**

**MINIMUM SPECIFICATIONS FOR 2005 SCHOOL BUS CHASSIS TO MEET
REQUIREMENTS OF VIRGINIA STATE BOARD OF EDUCATION**

TYPE “C” 71 PASSENGER CONVENTIONAL

GVWR

29,000

WHEELS

10-STUD DISC – 22.5” X 7.5”

TIRES

10R22.5 – 12 PLY

FRAME

ONE PIECE SIDE MEMBER – FRONT TOW HOOKS

STEERING

POWER – MEETING VIRGINIA SPECIFICATIONS

FRONT BUMPER

3/16” STEEL

FRONT AXLE

10,000 LB.

REAR AXLE

19,000LB.

BRAKES

FULL AIR – 13.2 CF COMPRESSOR –AIR DRYER

SUSPENSION

**FRT. SPRINGS 5,000 LB. EA. @ GRD.
REAR SPRINGS 9,500LB. EA. @ GRD.
FRT. AND REAR SHOCK ABSORBERS**

ENGINE

**190 H.P.
ELECTRONIC HAND THROTTLE
ECM SET TO MAXIMUM OF 55 MPH**

TRANSMISSION

ALLISON 2500 PTS

DRIVE SHAFT

GUARDS ON ALL SHAFTS

FUEL TANK

60 GALLON

AIR CLEANER

DRY ELEMENT TYPE WITH RESTRICTION GAUGE

OIL FILTER

1-QT. PER MANUFACTURER

BATTERY

750CCA

<u>ALTERNATOR</u>	160AMP 4 GA. CHARGING AND GROUND CIRCUITS
<u>HORN</u>	PER FMVSS
<u>LIGHTS</u>	PER FMVSS AND DAYTIME RUNNING LIGHTS
<u>GAUGES</u>	SPEEDOMETER, TACHOMETER, FUEL, OIL PRESSURE, COOLANT TEMP. & VOLTMETER
<u>COLOR</u>	FRAME, WHEELS, BUMPER, RAILS AND LETTERING – BLACK - -BACK OF MIRRORS, NON GLOSS BLACK - - BALANCE YELLOW

**MINIMUM SPECIFICATIONS FOR 2005 SCHOOL BUS CHASSIS TO MEET
REQUIREMENTS OF VIRGINIA STATE BOARD OF EDUCATION**

TYPE “D” 72PASSENGER ENGINE REAR

<u>GVWR</u>	29,800
<u>WHEELS</u>	10-STUD DISC – 22.5” X 7.5”
<u>TIRES</u>	11R22.5 – 14 PLY
<u>FRAME</u>	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS
<u>STEERING</u>	POWER – MEETING VIRGINIA SPECIFICATIONS
<u>FRONT BUMPER</u>	3/16” STEEL
<u>FRONT AXLE</u>	10,800 LB.
<u>REAR AXLE</u>	19,000 LB.
<u>BRAKES</u>	FULL AIR– 13.2 CF COMP– 16.5” X 5” FRT– 16.5” X 7” REAR–AIR DRYER
<u>SUSPENSION</u>	FRT. SPRINGS 5,400 LB. EA. @ GRD. REAR SPRINGS 9,500 LB. EA. @ GRD. FRT. AND REAR SHOCK ABSORBERS
<u>ENGINE</u>	190 H.P. ELECTRONIC HAND THROTTLE ECM SET TO MAXIMUM OF 55 MPH
<u>TRANSMISSION</u>	ALLISON 2500 PTS

<u>DRIVE SHAFT</u>	GUARDS ON ALL SHAFTS
<u>FUEL TANK</u>	60 GALLON
<u>AIR CLEANER</u>	DRY ELEMENT TYPE WITH RESTRICTION GAUGE
<u>OIL FILTER</u>	1-QT. PER MANUFACTURER
<u>BATTERY</u>	750CCA
<u>ALTERNATOR</u>	160AMP 4 GA. CHARGING AND GROUND CIRCUITS
<u>HORN</u>	PER FMVSS
<u>LIGHTS</u>	PER FMVSS AND DAYTIME RUNNING LIGHTS
<u>GAUGES</u>	SPEEDOMETER, TACHOMETER, FUEL, OIL PRESSURE, COOLANT TEMP. & VOLTMETER
<u>COLOR</u>	FRAME, WHEELS, BUMPER, RAILS AND LETTERING – BLACK - -BACK OF MIRRORS, NON GLOSS BLACK - BALANCE YELLOW

**MINIMUM SPECIFICATIONS FOR 2005 SCHOOL BUS CHASSIS TO MEET
REQUIREMENTS OF VIRGINIA STATE BOARD OF EDUCATION**

TYPE “D” 77 PASSENGER ENGINE FRONT

<u>GVWR</u>	32,000
<u>WHEELS</u>	10-STUD DISC – 22.5” X 8.25”
<u>TIRES</u>	11R22.5 – 14 PLY
<u>FRAME</u>	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS
<u>STEERING</u>	POWER – MEETING VIRGINIA SPECIFICATIONS
<u>FRONT BUMPER</u>	3/16” STEEL
<u>FRONT AXLE</u>	13,000 LB.
<u>REAR AXLE</u>	19,000LB.
<u>BRAKES</u>	FULL AIR– 13.2 CF COMP– 16.5” X 5” FRT– 16.5” X 7” REAR–AIR DRYER

<u>SUSPENSION</u>	FRT. SPRINGS 6,500 LB. EA. @ GRD. REAR SPRINGS 9,500 LB. EA. @ GRD. FRT. AND REAR SHOCK ABSORBERS
<u>ENGINE</u>	210 H.P. ELECTRONIC HAND THROTTLE ECM SET TO MAXIMUM OF 55 MPH
<u>TRANSMISSION</u>	ALLISON 2500 PTS
<u>DRIVE SHAFT</u>	GUARDS ON ALL SHAFTS
<u>FUEL TANK</u>	60 GALLON
<u>AIR CLEANER</u>	DRY ELEMENT TYPE WITH RESTRICTION GAUGE
<u>OIL FILTER</u>	1-QT. PER MANUFACTURER
<u>BATTERY</u>	750CCA
<u>ALTERNATOR</u>	160AMP 4 GA. CHARGING AND GROUND CIRCUITS
<u>HORN</u>	PER FMVSS
<u>LIGHTS</u>	PER FMVSS AND DAYTIME RUNNING LIGHTS
<u>GAUGES</u>	SPEEDOMETER, TACHOMETER, FUEL, OIL PRESSURE, COOLANT TEMP. & VOLTMETER
<u>COLOR</u>	FRAME, WHEELS, BUMPER, RAILS AND LETTERING – BLACK - -BACK OF MIRRORS, NON GLOSS BLACK - BALANCE YELLOW

**MINIMUM SPECIFICATIONS FOR 2005 SCHOOL BUS CHASSIS TO MEET
REQUIREMENTS OF VIRGINIA STATE BOARD OF EDUCATION**

TYPE “C” 77 PASSENGER CONVENTIONAL

<u>GVWR</u>	31,000
<u>WHEELS</u>	10-STUD DISC – 22.5” X 8.2.5”
<u>TIRES</u>	11R22.5 – 14 PLY
<u>FRAME</u>	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS
<u>STEERING</u>	POWER – MEETING VIRGINIA SPECIFICATIONS

<u>FRONT BUMPER</u>	3/16" STEEL
<u>FRONT AXLE</u>	10,000 LB.
<u>REAR AXLE</u>	21,000LB.
<u>BRAKES</u>	FULL AIR – 13.2 CF COMPRESSOR –AIR DRYER
<u>SUSPENSION</u>	FRT. SPRINGS 5,000 LB. EA. @ GRD. REAR SPRINGS 10,500LB. EA. @ GRD. FRT. AND REAR SHOCK ABSORBERS
<u>ENGINE</u>	210 H.P. ELECTRONIC HAND THROTTLE ECM SET TO MAXIMUM OF 55 MPH
<u>TRANSMISSION</u>	ALLISON 2500 PTS
<u>DRIVE SHAFT</u>	GUARDS ON ALL SHAFTS
<u>FUEL TANK</u>	60 GALLON
<u>AIR CLEANER</u>	DRY ELEMENT TYPE WITH RESTRICTION GAUGE
<u>OIL FILTER</u>	1-QT. PER MANUFACTURER
<u>BATTERY</u>	750CCA
<u>ALTERNATOR</u>	160AMP 4 GA. CHARGING AND GROUND CIRCUITS
<u>HORN</u>	PER FMVSS
<u>LIGHTS</u>	PER FMVSS AND DAYTIME RUNNING LIGHTS
<u>GAUGES</u>	SPEEDOMETER, TACHOMETER, FUEL, OIL PRESSURE, COOLANT TEMP. & VOLTMETER
<u>COLOR</u>	FRAME, WHEELS, BUMPER, RAILS AND LETTERING – BLACK - -BACK OF MIRRORS, NON GLOSS BLACK - - BALANCE YELLOW

**MINIMUM SPECIFICATIONS FOR 2005 SCHOOL BUS CHASSIS TO MEET
REQUIREMENTS OF VIRGINIA STATE BOARD OF EDUCATION**

TYPE "D" 78 PASSENGER ENGINE REAR

<u>GVWR</u>	33,000
<u>WHEELS</u>	10-STUD DISC – 22.5" X 7.5"
<u>TIRES</u>	11R22.5 – 14 PLY
<u>FRAME</u>	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS
<u>STEERING</u>	POWER – MEETING VIRGINIA SPECIFICATIONS
<u>FRONT BUMPER</u>	3/16" STEEL
<u>FRONT AXLE</u>	12,000 LB.
<u>REAR AXLE</u>	21,000 LB.
<u>BRAKES</u>	FULL AIR– 13.2 CF COMP– 16.5" X 5" FRT– 16.5" X 7" REAR–AIR DRYER
<u>SUSPENSION</u>	FRT. SPRINGS 6,000 LB. EA. @ GRD. REAR SPRINGS 10,500 LB. EA. @ GRD. FRT. AND REAR SHOCK ABSORBERS
<u>ENGINE</u>	210 H.P. ELECTRONIC HAND THROTTLE ECM SET TO MAXIMUM OF 55 MPH
<u>TRANSMISSION</u>	ALLISON 3000 PTS
<u>DRIVE SHAFT</u>	GUARDS ON ALL SHAFTS
<u>FUEL TANK</u>	60 GALLON
<u>AIR CLEANER</u>	DRY ELEMENT TYPE WITH RESTRICTION GAUGE
<u>OIL FILTER</u>	1-QT. PER MANUFACTURER
<u>BATTERY</u>	750CCA
<u>ALTERNATOR</u>	160AMP 4 GA. CHARGING AND GROUND CIRCUITS
<u>HORN</u>	PER FMVSS

<u>LIGHTS</u>	PER FMVSS AND DAYTIME RUNNING LIGHTS
<u>GAUGES</u>	SPEEDOMETER, TACHOMETER, FUEL, OIL PRESSURE, COOLANT TEMP. & VOLTMETER
<u>COLOR</u>	FRAME, WHEELS, BUMPER, RAILS AND LETTERING – BLACK - -BACK OF MIRRORS, NON GLOSS BLACK - BALANCE YELLOW

MINIMUM SPECIFICATIONS FOR 2005 SCHOOL BUS CHASSIS TO MEET REQUIREMENTS OF VIRGINIA STATE BOARD OF EDUCATION

TYPE “D” 83 PASSENGER ENGINE FRONT

<u>GVWR</u>	32,000
<u>WHEELS</u>	10-STUD DISC – 22.5” X 8.25”
<u>TIRES</u>	11R22.5 – 14 PLY
<u>FRAME</u>	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS
<u>STEERING</u>	POWER – MEETING VIRGINIA SPECIFICATIONS
<u>FRONT BUMPER</u>	3/16” STEEL
<u>FRONT AXLE</u>	13,000 LB.
<u>REAR AXLE</u>	19,000LB.
<u>BRAKES</u>	FULL AIR– 13.2 CF COMP– 16.5” X 5” FRT– 16.5” X 7” REAR–AIR DRYER
<u>SUSPENSION</u>	FRT. SPRINGS 6,500 LB. EA. @ GRD. REAR SPRINGS 9,500 LB. EA. @ GRD. FRT. AND REAR SHOCK ABSORBERS
<u>ENGINE</u>	210 H.P. ELECTRONIC HAND THROTTLE ECM SET TO MAXIMUM OF 55 MPH
<u>TRANSMISSION</u>	ALLISON 3000 PTS
<u>DRIVE SHAFT</u>	GUARDS ON ALL SHAFTS
<u>FUEL TANK</u>	60 GALLON
<u>AIR CLEANER</u>	DRY ELEMENT TYPE WITH RESTRICTION GAUGE

<u>OIL FILTER</u>	1-QT. PER MANUFACTURER
<u>BATTERY</u>	750CCA
<u>ALTERNATOR</u>	160AMP 4 GA. CHARGING AND GROUND CIRCUITS
<u>HORN</u>	PER FMVSS
<u>LIGHTS</u>	PER FMVSS AND DAYTIME RUNNING LIGHTS
<u>GAUGES</u>	SPEEDOMETER, TACHOMETER, FUEL, OIL PRESSURE, COOLANT TEMP. & VOLTMETER
<u>COLOR</u>	FRAME, WHEELS, BUMPER, RAILS AND LETTERING – BLACK - -BACK OF MIRRORS, NON GLOSS BLACK - BALANCE YELLOW

**MINIMUM SPECIFICATIONS FOR 2005 SCHOOL BUS CHASSIS TO MEET
REQUIREMENTS OF VIRGINIA STATE BOARD OF EDUCATION**

TYPE “D” 84 PASSENGER ENGINE REAR

<u>GVWR</u>	33,000
<u>WHEELS</u>	10-STUD DISC – 22.5” X 8.25”
<u>TIRES</u>	11R22.5 – 14 PLY
<u>FRAME</u>	ONE PIECE SIDE MEMBER – FRONT TOW HOOKS
<u>STEERING</u>	POWER – MEETING VIRGINIA SPECIFICATIONS
<u>FRONT BUMPER</u>	3/16” STEEL
<u>FRONT AXLE</u>	12,000 LB.
<u>REAR AXLE</u>	21,000 LB.
<u>BRAKES</u>	FULL AIR– 13.2 CF COMP– 16.5” X 5” FRT– 16.5” X 7” REAR–AIR DRYER
<u>SUSPENSION</u>	FRT. SPRINGS 6,000 LB. EA. @ GRD. REAR SPRINGS 10,500 LB. EA. @ GRD. FRT. AND REAR SHOCK ABSORBERS
<u>ENGINE</u>	210 H.P. ELECTRONIC HAND THROTTLE

ECM SET TO MAXIMUM OF 55 MPH

TRANSMISSION

ALLISON 3000 PTS

DRIVE SHAFT

GUARDS ON ALL SHAFTS

FUEL TANK

60 GALLON

AIR CLEANER

DRY ELEMENT TYPE WITH RESTRICTION GAUGE

OIL FILTER

1-QT. PER MANUFACTURER

BATTERY

750CCA

ALTERNATOR

160AMP

4 GA. CHARGING AND GROUND CIRCUITS

HORN

PER FMVSS

LIGHTS

PER FMVSS AND DAYTIME RUNNING LIGHTS

GAUGES

**SPEEDOMETER, TACHOMETER, FUEL, OIL PRESSURE,
COOLANT TEMP. & VOLTMETER**

COLOR

**FRAME, WHEELS, BUMPER, RAILS AND LETTERING –
BLACK - -BACK OF MIRRORS, NON GLOSS BLACK -
BALANCE YELLOW**

Board of Education Agenda Item

Item: I.

Date: October 28, 2004

Topic: First Review of an Advisory Board on Teacher Education and Licensure (ABTEL) Recommendation Supporting A Proposed Cut-Score for the *School Leaders Licensure Assessment (SLLA)*

Presenter: Dr. Thomas A. Elliott, Assistant Superintendent for Teacher Education and Licensure

Telephone Number: (804) 371-2522 **E-Mail Address:** telliott@mail.vak12ed.edu

Origin:

 Topic presented for information only (no board action required)

X Board review required by
 State or federal law or regulation
X Board of Education regulation
 Other:

X Action requested at this meeting Action requested at future meeting: (date)

Previous Review/Action:

X No previous board review/action

 Previous review/action
date
action

Background Information:

In June 1999, Educational Testing Service conducted, in cooperation with and on behalf of the Virginia Department of Education, Standard Setting and Content Validation Studies for the *School Leaders Licensure Assessment (SLLA)*. The goals of the study were to provide additional evidence regarding the content validity of the assessment and to determine a range of recommended passing scores for the *SLLA*. In addition to providing the passing score recommendations, two panels of experts—separate panels representing principals and central office administrators—also were asked to render a series of judgments attesting to the appropriateness of the *SLLA* for use in Virginia. The results supported the use of the assessment for the licensure of beginning school principals and for central office administrators in Virginia.

In Virginia, an individual may become eligible for an endorsement in administration and supervision preK-12 by completing requirements of the *Licensure Regulations for School Personnel, Effective 1998*. As part of those requirements, an individual must complete either the *SLLA* or a full-time internship as a school principal, assistant principal, or central office staff, or one year of successful, full-time experience on the job.

The scaled score that a candidate can receive on the *SLLA* ranges from a low of 100 points to a high of 200 points. The recommended passing scaled score values for the principals panel ranged from 156 to 165 scaled score points. For the central office administrators, the recommended passing score values ranged from 159 to 161 scaled score points.

The *SLLA* is a six-hour constructed response assessment organized into the following four sections: 1) **Evaluation of Actions (1 hour)**, based on 10 short vignettes covering situations a principal might encounter. In each case, candidates respond to a question that asks for next steps, factors influencing a decision, or possible consequences of an action; 2) **Evaluation of Actions II (1 hour)**, six longer vignettes, each presenting a dilemma based on typical school issues. Candidates must analyze the circumstances and respond to an analytical question that requires prioritizing action steps or articulating the relevant issues; 3) **Synthesis of Information and Problem Solving (2 hours)**, containing two case studies involving teaching and learning issues. In each case, candidates must propose a course of action to address a complex problem, referring to a set of documents and a short scenario describing a school and its community; and, 4) **Analysis of Information and Decision Making (2 hours)**, focusing on documents that relate to teaching and learning issues. Candidates must answer questions about each document.

Summary of Major Elements:

House Bill 573, Effective July 1, 2004, requires the Board of Education's *Licensure Regulations for School Personnel* to require that on and after July 1, 2005, initial licensure for principals and other school leaders, as may be determined by the board, be contingent upon passage of the *SLLA*. On July 21, 2004, the *SLLA* Score Setting Review Panel convened for the purpose of developing a recommended cut-score for the *SLLA* to be presented to the Board of Education for consideration. The panel was composed of nine practicing school administrators with between two and 10 years of experience, and three representatives of higher education institutions with approved leadership preparation programs. Additionally, panel composition was based on regional representation and ethnic diversity.

The score-setting review process included a review and discussion of national performance data and the alignment between Virginia's licensure requirements and the *SLLA*. The national median score for the *SLLA* is 177. Of the nine states currently requiring a passing score, the average passing score is 157. The District of Columbia, Kansas, South Carolina, and Virginia were not included in these data since these states did not require passing scores at the time of data collection.

A report for all examinees taking the *SLLA* in Virginia between January 1, 2000, and January 31, 2004, yielded the following results:

Examinees: 232	Median: 173
High Score: 195	Mean: 172.50
Low Score: 140	St Dev.: 10.40

Panel members were first asked to review independently all materials and respond to the following items: 1) Considering all the information you have reviewed, what passing score do you recommend for Virginia's assessment purpose; and, 2) Briefly describe primary reasons for recommending this score. A group discussion of pre-consensus scores was conducted. Materials provided to the review panel are attached in Appendix A.

Based on this discussion, the panel unanimously recommended a qualifying cut-score of 165 be required in Virginia for passing the *SLLA*.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education receive for first review ABTEL's recommendation supporting the proposed cut-score of 165 for the *School Leaders Licensure Assessment (SLLA)*, effective July 1, 2005.

Impact on Resources:

Costs associated with the administration of the *School Leaders Licensure Assessment (SLLA)* will be incurred by Educational Testing Services. Prospective school leaders will be required to pay a fee for test administration and reporting results to the Department of Education. Currently, the cost to individuals for test administration is approximately \$480.

Timetable for Further Review/Action:

Results of the administration and passing rates on the *SLLA* will be included as part of the annual Title II Higher Education Act Report to the U. S. Department of Education.

APPENDIX A

- 1. School Leaders Licensure Assessment (SLLA):
National Performance Data – pp. 1-3**
- 2. School Leaders Licensure Assessment (SLLA):
State of Virginia Performance Data – pp. 4-5**
- 3. Virginia Licensure Regulations for Administration and Supervision
Matched to the School Leadership Licensure Assessment
Specifications – pp. 6-10**

Board of Education Agenda Item

Item: _____ J. _____

Date: October 28, 2004

Topic: First Review of Nominations for Appointments to the State Special Education Advisory Committee

Presenter: Mr. H. Douglas Cox, Assistant Superintendent, Special Education and Student Services

Telephone Number: 225-3252 **E-Mail Address:** dougcox@mail.vak12ed.edu

Origin:

_____ Topic presented for information only (no board action required)

x Board review required by

x State or federal law or regulation

_____ Board of Education regulation

_____ Other: _____

x Action requested at this meeting _____ Action requested at future meeting: _____ (date)

Previous Review/Action:

x No previous board review/action

_____ Previous review/action

date _____

action _____

Background Information:

The Individuals with Disabilities Education Act (IDEA) requires the establishment of this advisory committee to advise the State Education Agency on the education of children with disabilities. The committee membership as required by IDEA must consist of:

- * Parents of children with disabilities;
- * Individuals with disabilities;
- * Teachers;
- * Representatives of institutions of higher education that prepare special education and related services personnel, state and local education officials, administrators of programs for children with disabilities;
- * Representatives of other state agencies involved in the financing or delivery of related services to children with disabilities;
- * Representatives of private schools and public charter schools;
- * At least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities; and
- * Representatives from the State juvenile and adult corrections agencies.
- * A majority of the members of the committee must be individuals with disabilities or parents of children with disabilities.

Summary of Major Elements

The position of a parent representative from Region VII is currently vacant.

Ms. Suzanne Conroy is recommended for appointment by the Board for this position. Biographical information about Ms. Conroy is attached. The term of office is three years, beginning November 1, 2004.

Five members are eligible for reappointment for a second term of three years beginning November 1, 2004.

The members are:

Emily Dreyfus – Parent Representing Superintendent's Region V

Robert Richardson, Jr. – Local Director of Special Education

Shirley Ricks – State Agency Representative

Elizabeth Vincel – Parent representing Superintendent's Region VI

Michael Wong – Transition/Vocational Education Representative

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board waive first review and accept the nominations.

Impact on Resources:

None

Timetable for Further Review/Action:

Board of Education Agenda Item

Item: K.

Date: October 28, 2004

Topic: Final Review of Response to a Recommendation from the 2003 Student Advisory Committee Regarding Student Diversity

Presenter: Dr. Cynthia A. Cave, Director of Student Services

Telephone Number: 225-2818

E-Mail Address: ccave@mail.vak12ed.edu

Origin:

☐ Topic presented for information only (no board action required)

☐ Board review required by

☐ State or federal law or regulation

☐ Board of Education regulation

☒ Other: The Board of Education's Student Advisory Committee Recommendation

☒ Action requested at this meeting: Accept for final review the establishment of the Leadership in Cultural Diversity Education Award

☐ Action requested at future meeting: _____ (date)

Previous Review/Action:

☐ No previous board review/action

☒ Previous review/action

date April 28, 2004, meeting and September 22, 2004

action The Board of Education Student Advisory Committee recommended that the board develop an award that recognizes schools that promote cultural diversity. At its September 22, 2004 meeting, the Board of Action discussed a proposal and accepted it for first review.

Background Information:

Increasingly, Virginia public schools are more diverse, and this trend will continue to grow. The ultimate focus is not about diversity itself, but more about understanding how differences affect the ways students achieve in school. To build an appreciation of differences in a school, it is important to promote understanding of values and beliefs endemic to various cultures.

During the 2003-04 school year, the Student Advisory Committee of the Board of Education recommended that an award program be developed for schools that make an effort to promote understanding of cultural diversity throughout the school. As a result, the proposed Board of Education's Leadership in Cultural Diversity Education Award has been developed.

Education about cultural diversity includes, but is not limited to, strategies and programs that promote a school climate that is culturally responsive to all students. Diversity forums, cultural presentations, staff development training, and collaboration between school and community groups are just a few examples of effective approaches.

The proposed Board of Education's Leadership in Cultural Diversity Education Award would be given to schools and school divisions. Recipients will be presented with a certificate of recognition by the Board of Education for effectively providing educational opportunities that promote an understanding and responsiveness to cultural diversity. Their programs will be highlighted on the Web site of the Virginia Department of Education.

Summary of Major Elements:

A description of the award is attached. Criteria for the selection of a school or school division would include:

- Continuous development of strategies that encourage success for all students
- Sustained activities and programs that promote an atmosphere of inclusiveness for all students
- Ongoing activities that eliminate prejudice
- Development of innovative programs that promote cultural understanding

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education accept establishment of this award.

Impact on Resources:

Minimal

Timetable for Further Review/Action:

With the adoption of the Leadership in Cultural Diversity Education Award, notification of school divisions will be made through Superintendents' Memorandum and posting on the Department of Education Web site.

Leadership in Cultural Diversity Education Award

Increasingly, Virginia public schools are more diverse, and this trend will continue to grow. The ultimate focus is not about diversity itself, but more about the impact differences have on how students achieve in school. To have a successful culturally pluralistic school community, it is important to promote understanding of the values and beliefs endemic to various cultures.

During the 2003-04 school year, the Student Advisory Committee of the Board of Education recommended to the board that an award program be developed for schools that make an effort to educate students about cultural diversity. Understanding cultural diversity is fundamental to the processes, content, and outcomes of schooling. Subsequently, learning how to interact in a culturally diverse society should start in school.

The Virginia State Board of Education has established a Leadership in Cultural Diversity Education Award for schools and school divisions. Throughout the year, recipients will be presented with a certificate of recognition at Board of Education meetings. The programs that received recognition for promoting an understanding and responsiveness to cultural diversity in Virginia schools will be highlighted on the Web site of the Virginia Department of Education.

Criteria for Selection

- Continuous development of strategies that encourage success for all students
- Sustained activities and programs that promote an atmosphere of inclusiveness for all students
- Ongoing activities that eliminate prejudice
- Development of innovative programs that promote cultural understanding

Education about cultural diversity includes, but is not limited to, strategies and programs that promote a school climate that is culturally responsive to all students. Diversity forums, cultural presentations, staff development training, and collaboration between school and community groups are just a few examples of effective approaches.

How to Nominate

Nominations will be accepted throughout the year. The selection committee, to include representatives from school divisions, the Virginia Department of Education, and a nationally recognized cultural competency trainer/consultant, will meet quarterly to select an award recipient.

Nominations should include:

- Information about the number of students and school(s) affected as well as demographics of the school(s) and the student population
- A description of the program or strategy implemented
- A description of how the program or strategy promotes an understanding of cultural diversity within the school community or promotes a school climate that is culturally responsive to all students
- Contact information for the nominator, including mailing address, telephone number, and e-mail address
- A description of outcomes such as data documenting results, letters of support, publications, and newspaper coverage

Board of Education Agenda Item

Item: _____ L. _____

Date: October 28, 2004

Topic: First Review of Nominations for Reappointment to the Virginia Advisory Committee for Career and Technical Education

Presenter: Mr. Robert Almond, Director, Office of Career and Technical Education Services

Telephone Number: 804/225-2847

E-Mail Address: ralmond@pen.k12.va.us

Origin:

_____ Topic presented for information only (no board action required)

_____ Board review required by

_____ State or federal law or regulation

_____ Board of Education regulation

_____ Other: _____

 x Action requested at this meeting _____ Action requested at future meeting: _____ (date)

Previous Review/Action:

 x No previous board review/action

_____ Previous review/action

date _____

action _____

Background Information: The Virginia Advisory Committee for Career and Technical Education was established as a standing committee of the board in June 2003. The purpose of the committee is to advise the board of needs in career and technical education. Members of the advisory committee represent business and industry in each of the seven career and technical education program areas (agricultural education, business and information technology, family and consumer sciences education, health and medical sciences education, marketing, technology education, and trade and industrial education) and professional and educational organizations. The advisory committee meets three times each year.

Summary of Major Elements: Four persons are recommended for reappointment to the advisory committee to serve three-year terms according to the board's advisory committee by-laws that became effective October 1, 2004.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the board waive first review and accept the nominations as presented.

Impact on Resources: This responsibility can be absorbed by the agency's existing resources at this time. If the agency is required to absorb additional responsibilities related to this activity, other services may be impacted.

Timetable for Further Review/Action: None

**RECOMMENDATIONS FOR REAPPOINTMENT TO THE
VIRGINIA ADVISORY COMMITTEE FOR CAREER AND TECHNICAL EDUCATION**

MR. MICHAEL MILLS – Reappointment 3 Year Term (November 2007)
Corporate Distribution Manager
American Woodmark Corporation
170 Dawson Drive
Winchester, Virginia 22604

Mr. Mills was appointed to the advisory committee in 2003 for a one-year term and has expressed interest in continuing to serve. He represents business and industry in the Winchester area.

MR. CRAIG BALZER – Reappointment 3 Year Term (November 2007)
Principal
Balzer and Associates, Inc.
1208 Corporate Circle
Roanoke, Virginia 24018

Mr. Balzer was appointed to the advisory committee in 2003 for a one-year term and has expressed interest in continuing to serve. He represents business and industry in southwest Virginia.

MRS. JUDITH SORRELL – Reappointment 3 Year Term (November 2007)
Director
Shenandoah Valley Regional Program
P.O. Box 448
Fishersville, Virginia 22939

Mrs. Sorrell was appointed to the advisory committee in 2003 for a one-year term and has expressed interest in continuing to serve. She represents special education in the valley region of the state and is a former member of the CTE Advisory Council.

MR. TONEY RIGALI – Reappointment 3 Year Term (November 2007)
Lead Organizer
Virginia Pipe Trades Association
593 Southlakes Boulevard
Richmond, Virginia 23236

Mr. Rigali was appointed to the advisory committee in 2003 for a one-year term and has expressed interest in continuing to serve. He represents labor in central Virginia and is a former member of the CTE Advisory Council.

Board of Education Agenda Item

Item: _____ M. _____

Date: October 28, 2004

Topic: First Review of the Annual Report for State-Funded Remedial Programs

Presenter: Dr. James S. Heywood, Executive Director for School Improvement

Telephone Number: (804) 225-2865 E-Mail Address: jheywood@mail.vak12ed.edu

Origin:

_____ Topic presented for information only (no board action required)

X Board review required by

X State or federal law or regulation

_____ Board of Education regulation

_____ Other: _____

X Action requested at this meeting _____ Action requested at future meeting: _____

Previous Review/Action:

X No previous board review/action

_____ Previous review/action

Date _____ Action: _____

Background Information:

§22.1-199.2.B. of the Code of Virginia (*Code*) requires the Board of Education to collect, compile and analyze data required to be reported by local school divisions to accomplish a statewide review and evaluation of remediation programs. The *Code* further requires that the Board annually report its analysis of the data submitted and a statewide assessment of remediation programs, with any recommendations, to the Governor and the General Assembly annually, beginning on December 1, 2000.

Summary of Major Elements

A summary of the remedial plans for all school divisions for summer remedial programs held in 2003 and SOL remediation programs held in 2003-2004 is included in the report as Appendix A. Appendix B contains the regulations specifying standards for state-funded remedial programs.

The attached report also contains a summary of funding amounts provided to each local school division (Appendix C) for Standards of Learning Remediation and Standards of Learning Remedial Summer School.

Superintendent's Recommendation:

The Superintendent recommends that the Board waive first review and submit the attached to the Governor and General Assembly as required by §22.1-199.2.B. of the *Code*.

Impact on Resources:

N/A

Timetable for Further Review/Action:

N/A



VIRGINIA BOARD OF EDUCATION

REPORT

ANALYSIS AND ASSESSMENT OF STATE-FUNDED REMEDIAL PROGRAMS

OCTOBER 2004

OFFICE OF SCHOOL IMPROVEMENT

Introduction

Analysis and Assessment of State-Funded Remedial Programs

§22.1-199.2.B. of the Code of Virginia (Code) requires the Board of Education to collect, compile, and analyze data required to be reported by local school divisions to accomplish a statewide review and evaluation of remediation programs. The *Code* further requires that the Board annually report its analysis of the data submitted and a statewide assessment of remediation programs, with any recommendations, to the Governor and the General Assembly.

State-funded remedial programs are distinguished from other state-funded initiatives for at-risk students in that eligibility is based upon performance on statewide required assessments.

A summary of the remedial plans for all school divisions for summer remedial programs held in 2003 and SOL remediation programs held in 2003-2004 is included in the report as Appendix A. Appendix B contains the regulations specifying standards for state-funded remedial programs.

The attached report also contains a summary of funding amounts provided to each local school division (Appendix C) for Standards of Learning Remediation and Standards of Learning Remedial Summer School.

Regulations for State-Funded Remedial Programs

Background

Section 22.1-199.2 of the Code required the Board of Education to promulgate regulations establishing standards for remediation programs that receive state funding, without regard to state funding designations. After Board approval on January 14, 2003, regulation 8 VAC 20-630 was placed in the *Virginia Register of Regulations* on February 25, 2003, and became effective on March 28, 2003 (Appendix B).

Regulation 8 VAC 20-630 institutes a maximum pupil-teacher ratio for state-funded summer remedial programs; requires school divisions to submit a remediation plan, record and report specified data pertaining to their state-funded remedial programs, maintain an individual student record indicating the student's expected remediation goal, and annually evaluate the success of those programs; and provides standards for state-funded remedial programs. After public comment, the regulation was amended to (i) broaden the definition of state-funded remediation programs as those programs defined in a school division's remediation plan that serve eligible students from state funding sources; (ii) permit the use of locally designed or selected tests in place of the Standards of Learning assessments, when applicable, to determine whether a

student met the remediation goal; and (iii) permit individuals who work in the state-funded remedial program to work under the direct supervision of a licensed teacher in Virginia. Regulation 8 VAC 20-630, Appendix B, is designed to strengthen and improve the effectiveness of such programs in increasing the scholastic achievement of students with academic deficiencies.

Description of State-Funded Remedial Programs

Standards of Learning Remediation

The Standards of Quality (§22.1-253.13:1 of the Code) require local school boards to provide programs of prevention, intervention, or remediation for students who do not achieve a passing score on any Standards of Learning (SOL) assessment in grades 3, 5, and 8. This program is designed to assist school divisions in providing remedial services to students whose performance on the Standards of Learning (SOL) assessments indicates a need for remediation or for students who may require intervention to pass future Standards of Learning (SOL) assessments.

The 2002-004 appropriation act provided funding based on the state share of the cost of providing two and one-half hours of instruction each week for the estimated percentage of students on free lunch in grades 4, 6, 9, and 11. Funding is also provided for training in remediation techniques for those teachers who will deliver the additional instruction at \$500 per teacher.

Standards of Learning Remedial Summer School

The Standards of Quality §22.1-253.13:1 of the Code require division superintendents to provide a program of prevention, intervention, or remediation that may include remedial summer school to students who are educationally at-risk including, but not limited to:

- a. those whose scores are in the bottom quartile on the Virginia State Assessment Program tests; or
- b. who fail to achieve a passing score on any Standards of Learning assessment in grades 3,5, and 8; or,
- c. who fail an end-of-course test required for the award of a verified unit of credit required for the student's graduation.

The 2003-2004 appropriation act provided funds to each local school division for the operation of programs designed to remediate students who are required to attend. Students attending these programs will not be charged tuition and no high school credit may be awarded to students who participate in the program.

Appendices

Appendix A is the data reported by school divisions as required by 8 VAC 20-630. Appendix B contains the regulations specifying standards for state-funded remedial programs. Appendix C indicates the amount of funding provided to each local school division for Standards of Learning Remediation and Standards of Learning Remedial Summer School in fiscal year 2003-2003.

Appendix A
Data Reported by School Division
Required by 8 VAC 20-630

8-VAC 20-630-50 requires each local division to annually collect and report to the Department of Education, on-line or on forms provided by the Department, the following data pertaining to eligible students:

1. The number of students failing a state sponsored test required by the Standards of Quality or Standards of Accreditation;
2. A demographic profile of students attending state-funded remedial programs;
3. The academic status of each student attending state-funded remedial programs;
4. The types of instruction offered;
5. The length of the program(s);
6. The cost of the program(s);
7. The number of disabled students and those with limited English proficiency;
8. As required, the pass rate on Standards of Learning assessments;¹ and,
9. The percentage of students at each grade level who have met their remediation goals.

A. Data reported for summer remedial programs held in 2003.

Types of Instruction Offered	Number of Hours	Percent of Total
The types of instruction offered The length of the program(s)		
An integrated summer remedial program (English, mathematics, social studies, science) in grades K-5 (40 hours required)	40 hours 41—59 hours 60+ hours	8% 30% 25%
A summer remedial program in one or more content area (English, mathematics, social studies, science) in Grades K-12. 20 hours required)*	20 hours 21--39 hours 40+ hours	27% 62% 73%

¹ The Standards of Learning pass rates will be available for each division in November of 2004.

Demographic profile	Number Reported	Percent of Total
A demographic profile of the students who attended remedial summer school in 2003.		
Total Number	96,233	
Male	52,480	55%
Female	43,753	45%
Unspecified	2,431	2%
American/Indian Alaska Native	243	<1%
Asian/Pacific Islander	2,876	3%
Black or African American, not of Hispanic origin	43,114	45%
Hispanic	9,410	10%
White, not of Hispanic origin	38,159	40%
The number of students who attended remedial summer school in 2003 who failed a state sponsored test required by the Standards of Quality or Standards of Accreditation		
Kindergarten-8 th Grade	24,135	25%
Grades 9-12	4,895	5%

The academic status of each student is defined as students who attended remedial summer school in 2003 and who were retained in 2002-2003	Number Reported 9,132	Percent of Total 9%
The number of disabled students and those with limited English proficiency who attended remedial summer school in 2003		
Disabled Students	12,590	13%
Limited English Proficiency	8,244	9%

Cost of Program	State Funds Expended	\$20,357,114
The cost of the program(s) for remedial summer school in 2003	Non-State Funds Expended	\$18,938,595
	Total	\$39,295,709
Cost per pupil: \$408		

Benchmark and Goal Attainment	English	Math	Science	Social Studies
The percentage of students who attended remedial summer school in 2003 at each grade level who have met their remediation goals*				
K	51%	60%	96%	98%
1	55%	64%	87%	89%
2	58%	62%	68%	75%
3	59%	64%	97%	100%
4	60%	61%	59%	67%
5	59%	63%	73%	84%
6	51%	52%	78%	47%
7	52%	51%	75%	47%
8	60%	56%	83%	75%
9-12	46%	55%	50%	54%

*8 VAC 20-630-30 requires each local school division to record, for each eligible student attending a state-funded remedial program: (i) the state or local criteria used to determine eligibility; (ii) the expected remediation goal for the student in terms of a target score on a locally designed or selected test which measures the SOL content being remediated; and (iii) whether the student did or did not meet the expected remediation goal. This percentage reflects the number of students who met their remediation goal, including the SOL assessment, if appropriate.

B. Data reported for summer remedial programs held in 2003-2004.

Type of Program(s) Offered 2003-2004 School Year	Percentage of Localities
After- or before-school programs	79%
Saturday programs	21%
Non-credit elective, remediation course, or bridge program such as an additional mathematics course between fifth and sixth grade	23%
Extended time outside of the SOQ day spent in remediation, for example, an extra 15 minutes added to the daily schedule to allow for in-class remediation	39%
Small group or individual tutoring during the school day using a “specifically for” remediation full-time instructional aide	54%
Small group or individual tutoring during the school day using a “specifically for” remediation full-time licensed teacher	38%
Regular classroom with class size of 10 or less students per teacher	24%
Small group or individual tutoring during the school day using a part-time licensed teacher	37%
Small group or individual tutoring during the school day using a part-time instructional aide	32%
Computer lab with dedicated instructor (support personnel or licensed instructor)	47%
Other	15%

Demographic Profile	Number Reported	Percent of Total
A demographic profile of the students who attended remedial programs in 2003-2004.		
Total Number	109,847	
Male	57,508	52%
Female	52,339	48%
Unspecified	596	<1%
American/Indian Alaska Native	198	<1%
Asian/Pacific Islander	1,743	2%
Black or African American, not of Hispanic origin	38,159	35%
Hispanic	5,884	5%
White, not of Hispanic origin	63,607	58%
The number of students who attended remedial programs in 2003-2004 and who failed a state sponsored test required by the Standards of Quality or Standards of Accreditation		
Kindergarten-8 th Grade	35,086	32%
Grades 9-12	9,852	9%

The academic status of each student is defined as students who attended remedial programs in 2003-2004 and who were retained in 2002-2003	Number Reported 3,023	Percent of Total 3%
The number of disabled students and those with limited English proficiency who attended remedial programs in 2003 -2004		
Disabled Students	15,224	14%
Limited English Proficiency	3,994	4%

Cost of Program	State Funds Expended	\$12,672,067
The cost of the program(s) for remedial programs in 2003-2004	Non-State Funds Expended	\$10,670,388
	Total	\$23,432,455
Cost per pupil: \$213		

Benchmark and Goal Attainment	English	Math	Science	Social Studies
The percentage of students who attended remedial programs in 2003-2004 at each grade level who have met their remediation goals*				
K	71%	71%	100%	100%
1	70%	84%	100%	100%
2	69%	77%	95%	97%
3	69%	81%	82%	88%
4	69%	74%	94%	73%
5	76%	74%	78%	80%
6	58%	50%	69%	64%
7	56%	58%	75%	66%
8	67%	74%	78%	80%
9-12	59%	58%	63%	67%

*8 VAC 20-630-30 requires each local school division to record, for each eligible student attending a state-funded remedial program: (i) the state or local criteria used to determine eligibility; (ii) the expected remediation goal for the student in terms of a target score on a locally designed or selected test which measures the SOL content being remediated; and (iii) whether the student did or did not meet the expected remediation goal. This percentage reflects the number of students who met their remediation goal, including the SOL assessment, if appropriate.

Appendix B**Standards for State-Funded Remedial Programs****8 VAC 20-630****8 VAC 20-630-10 Definitions.**

The following words and terms when used in this regulation, shall have the following meanings, unless the context clearly indicates otherwise:

“Eligible students” are those students who meet either (i) the criteria identifying students who are educationally at risk which has been established by the local school board, or (ii) the state criteria identifying students who are educationally at risk as specified in §22.1-253.13:1.

“Regular instructional day” means the length of the school day in which instruction is provided for all children, but excluding before and after school programs for state-funded remedial programs.

“Regular school year” means the period of time during which the local school division provides instruction to meet the Standards of Quality, exclusive of summer school, Saturday sessions, or intercession periods.

“State-funded remedial programs” include those programs defined in the local school division’s remediation plan which serve eligible students from state funding sources.

8 VAC 20-630-20 Remediation plan development and approval.

Each local school division shall develop a remediation plan designed to strengthen and improve the academic achievement of eligible students. Local school divisions shall submit these plans at a time to be determined by the Superintendent of Public Instruction for approval by the Board of Education. Following approval of the plan, each local school division shall submit a budget for the remediation plan that identifies the sources of state funds in the plan.

8 VAC 20-630-30 Individual student record.

Each local school division shall record, for each eligible student attending a state-funded remedial program: (i) the state or local criteria used to determine eligibility; (ii) the expected remediation goal for the student in terms of a target score on a locally designed or selected test which measures the SOL content being remediated; and (iii) whether the student did or did not meet the expected remediation goal.

8 VAC 20-630-40 Program evaluation.

Each local school division shall annually evaluate and modify, as appropriate, their remediation plan based on an analysis of the percentage of students meeting their remediation goals. The pass rate on the Standards of Learning assessments shall also be a measure of the effectiveness of the remedial program.

8 VAC 20-630-50 Reporting requirements.

Annually, each local school division shall collect and report to the Department of Education, on-line or on forms provided by the Department, the following data pertaining to eligible students:

1. The number of students failing a state sponsored test required by the Standards of Quality or Standards of Accreditation;
2. A demographic profile of students attending state-funded remedial programs;
3. The academic status of each student attending state-funded remedial programs;
4. The types of instruction offered;
5. The length of the program(s);
6. The cost of the program(s);
7. The number of ungraded and disabled students, and those with limited English proficiency;
8. As required, the pass rate on Standards of Learning assessments; and
9. The percentage of students at each grade level who have met their remediation goals.

8 VAC 20-630-60 Teacher qualifications and staffing ratios.

Each local school division implementing a state-funded remedial summer school program shall provide a minimum of 20 hours of instruction per subject, exclusive of field trips, assemblies, recreational activities, lunch or post-program testing time.

For state-funded remedial summer school programs in grades K-5 that offer an integrated curriculum, a minimum of 40 hours of instruction shall be required.

The pupil-teacher ratios for state-funded summer remedial programs shall not exceed 18:1.

Individuals who provide instruction in the state-funded remedial programs shall be licensed to teach in Virginia or work under the direct supervision of an individual who is licensed to teach in Virginia; be qualified to provide instruction in the area to be remediated; and be trained in remediation techniques.

8 VAC 20-630-70 Transportation formula.

Pursuant to the provisions of the state's Appropriation Act, funding for transportation services provided for students who are required to attend state-funded remedial programs outside the regular instructional day shall be based on a per pupil per day cost multiplied by the number of student days the program operates (i.e. the number of instructional days the state-funded remedial programs are offered multiplied by the number of students who attend the state-funded remedial programs). The per pupil per day cost shall be based on the latest prevailing cost data used to fund pupil transportation through the Standards of Quality.

For state-funded remedial programs that operate on days that are in addition to the regular school year, 100 percent of the per pupil per day cost shall be used in the formula. For state-funded remedial programs that begin before or end after the regular instructional day, 50 percent of the per pupil per day cost shall be used in the formula. The state share of the payment shall be based on the composite index.

Appendix C
State-Funded Program Payments to Local School Divisions
2003-2004

Code	DIVISION	REMEDIAL SUM SCHOOL	SOL REMEDICATION	TOTAL PAYMENTS
001	ACCOMACK	\$49,451	\$185,704	\$235,155
002	ALBEMARLE	\$132,714	\$62,787	\$195,501
003	ALLEGHANY	\$16,210	\$46,619	\$62,829
004	AMELIA	\$33,708	\$28,041	\$61,749
005	AMHERST	\$117,959	\$71,533	\$189,492
006	APPOMATTOX	\$72,096	\$40,745	\$112,841
007	ARLINGTON	\$263,694	\$116,207	\$379,901
008	AUGUSTA	\$233,517	\$97,640	\$331,157
009	BATH	\$1,846	\$2,414	\$4,260
010	BEDFORD	\$185,780	\$98,742	\$284,522
011	BLAND	\$0	\$10,577	\$10,577
012	BOTETOURT	\$23,450	\$20,794	\$44,244
013	BRUNSWICK	\$210,631	\$70,345	\$280,976
014	BUCHANAN	\$47,696	\$136,606	\$184,302
015	BUCKINGHAM	\$46,072	\$66,075	\$112,147
016	CAMPBELL	\$195,038	\$125,318	\$320,356
017	CAROLINE	\$125,831	\$72,758	\$198,589
018	CARROLL	\$118,649	\$74,492	\$193,141
019	CHARLES CITY	\$20,186	\$16,908	\$37,094
020	CHARLOTTE	\$65,630	\$55,076	\$120,706
021	CHESTERFIELD	\$1,176,947	\$428,223	\$1,605,170
022	CLARKE	\$28,717	\$7,061	\$35,778
023	CRAIG	\$26,670	\$7,954	\$34,624
024	CULPEPER	\$74,679	\$87,080	\$161,759
025	CUMBERLAND	\$53,326	\$43,008	\$96,334
026	DICKENSON	\$16,235	\$77,821	\$94,056
027	DINWIDDIE	\$150,203	\$73,052	\$223,255
028	ESSEX	\$30,674	\$37,274	\$67,948
029	FAIRFAX	\$404,606	\$494,573	\$899,179
030	FAUQUIER	\$71,487	\$45,086	\$116,573
031	FLOYD	\$24,109	\$29,503	\$53,612
032	FLUVANNA	\$54,612	\$26,517	\$81,129
033	FRANKLIN	\$152,449	\$125,653	\$278,102
034	FREDERICK	\$38,348	\$69,645	\$107,993
035	GILES	\$36,530	\$30,993	\$67,523
036	GLOUCESTER	\$64,367	\$78,817	\$143,184
037	GOOCHLAND	\$12,141	\$5,417	\$17,558
038	GRAYSON	\$50,073	\$47,036	\$97,109
039	GREENE	\$64,131	\$26,779	\$90,910
040	GREENSVILLE	\$211,106	\$56,600	\$267,706

Code	DIVISION	REMEDIAL SUM SCHOOL	SOL REMEDICATION	TOTAL PAYMENTS
041	HALIFAX	\$249,951	\$156,195	\$406,146
042	HANOVER	\$128,824	\$64,889	\$193,713
043	HENRICO	\$631,845	\$377,374	\$1,009,219
044	HENRY	\$170,670	\$153,739	\$324,409
045	HIGHLAND	\$0	\$2,330	\$2,330
046	ISLE OF WIGHT	\$66,463	\$76,921	\$143,384
047	JAMES CITY	\$120,114	\$60,330	\$180,444
048	KING GEORGE	\$24,867	\$33,305	\$58,172
049	KING QUEEN	\$29,493	\$26,781	\$56,274
050	KING WILLIAM	\$43,422	\$19,642	\$63,064
051	LANCASTER	\$19,926	\$18,111	\$38,037
052	LEE	\$0	\$145,050	\$145,050
053	LOUDOUN	\$0	\$71,844	\$71,844
054	LOUISA	\$62,387	\$40,141	\$102,528
055	LUNENBURG	\$66,197	\$54,537	\$120,734
056	MADISON	\$55,865	\$17,647	\$73,512
057	MATHEWS	\$17,029	\$12,582	\$29,611
058	MECKLENBURG	\$109,841	\$116,503	\$226,344
059	MIDDLESEX	\$14,305	\$13,357	\$27,662
060	MONTGOMERY	\$156,338	\$103,464	\$259,802
062	NELSON	\$42,572	\$26,473	\$69,045
063	NEW KENT	\$34,478	\$13,952	\$48,430
065	NORTHAMPTON	\$40,023	\$69,736	\$109,759
066	NORTHUMBERLAND	\$57,341	\$19,442	\$76,783
067	NOTTOWAY	\$103,444	\$68,311	\$171,755
068	ORANGE	\$80,010	\$45,244	\$125,254
069	PAGE	\$91,234	\$61,637	\$152,871
070	PATRICK	\$118,384	\$45,479	\$163,863
071	PITTSYLVANIA	\$210,052	\$160,967	\$371,019
072	POWHATAN	\$60,292	\$20,016	\$80,308
073	PRINCE EDWARD	\$94,196	\$85,374	\$179,570
074	PRINCE GEORGE	\$148,769	\$84,767	\$233,536
075	PRINCE WILLIAM	\$1,287,795	\$575,832	\$1,863,627
077	PULASKI	\$66,966	\$75,236	\$142,202
078	RAPPAHANNOCK	\$6,128	\$3,416	\$9,544
079	RICHMOND	\$32,761	\$19,745	\$52,506
080	ROANOKE	\$87,648	\$56,284	\$143,932
081	ROCKBRIDGE	\$29,287	\$29,494	\$58,781
082	ROCKINGHAM	\$292,101	\$107,615	\$399,716
083	RUSSELL	\$46,560	\$101,000	\$147,560
084	SCOTT	\$108,170	\$83,767	\$191,937
085	SHENANDOAH	\$179,535	\$57,698	\$237,233
086	SMYTH	\$140,085	\$104,093	\$244,178
087	SOUTHAMPTON	\$97,785	\$70,532	\$168,317

Code	DIVISION	REMEDIAL SUM SCHOOL	SOL REMEDICATION	TOTAL PAYMENTS
088	SPOTSYLVANIA	\$176,365	\$159,586	\$335,951
089	STAFFORD	\$516,681	\$165,821	\$682,502
090	SURRY	\$12,425	\$7,855	\$20,280
091	SUSSEX	\$62,595	\$48,400	\$110,995
092	TAZEWELL	\$182,212	\$200,836	\$383,048
093	WARREN	\$47,025	\$48,774	\$95,799
094	WASHINGTON	\$109,645	\$120,027	\$229,672
095	WESTMORELAND	\$52,622	\$51,194	\$103,816
096	WISE	\$103,720	\$177,522	\$281,242
097	WYTHE	\$62,724	\$72,537	\$135,261
098	YORK	\$75,812	\$63,751	\$139,563
101	ALEXANDRIA	\$178,778	\$79,481	\$258,259
102	BRISTOL	\$55,708	\$49,031	\$104,739
103	BUENA VISTA	\$106,679	\$16,055	\$122,734
104	CHARLOTTESVILLE	\$60,461	\$64,760	\$125,221
105	CLIFTON FORGE	\$0	\$0	\$0
106	COLONIAL HEIGHTS	\$27,185	\$18,988	\$46,173
107	COVINGTON	\$16,150	\$15,908	\$32,058
108	DANVILLE	\$206,899	\$260,669	\$467,568
109	FALLS CHURCH	\$15,904	\$2,612	\$18,516
110	FREDERICKSBURG	\$42,550	\$26,167	\$68,717
111	GALAX	\$31,736	\$27,874	\$59,610
112	HAMPTON	\$608,131	\$465,747	\$1,073,878
113	HARRISONBURG	\$109,278	\$61,175	\$170,453
114	HOPEWELL	\$97,499	\$117,601	\$215,100
115	LYNCHBURG	\$140,771	\$206,776	\$347,547
116	MARTINSVILLE	\$25,134	\$69,825	\$94,959
117	NEWPORT NEWS	\$1,216,715	\$830,283	\$2,046,998
118	NORFOLK	\$1,346,239	\$1,175,795	\$2,522,034
119	NORTON	\$16,547	\$19,716	\$36,263
120	PETERSBURG	\$177,861	\$230,376	\$408,237
121	PORTSMOUTH	\$483,473	\$600,686	\$1,084,159
122	RADFORD	\$13,215	\$16,334	\$29,549
123	RICHMOND CITY	\$1,059,045	\$731,116	\$1,790,161
124	ROANOKE CITY	\$289,565	\$351,656	\$641,221
126	STAUNTON	\$72,272	\$52,801	\$125,073
127	SUFFOLK	\$452,842	\$307,106	\$759,948
128	VIRGINIA BEACH	\$1,078,291	\$791,213	\$1,869,504
130	WAYNESBORO	\$61,306	\$47,834	\$109,140
131	WILLIAMSBURG	\$7,810	\$2,414	\$10,224
132	WINCHESTER	\$92,274	\$37,331	\$129,605
134	FAIRFAX CITY	\$0	\$7,863	\$7,863
135	FRANKLIN CITY	\$154,382	\$47,410	\$201,792
136	CHESAPEAKE CITY	\$1,283,044	\$468,022	\$1,751,066

Code	DIVISION	REMEDIAL SUM SCHOOL	SOL REMEDATION	TOTAL PAYMENTS
137	LEXINGTON	\$12,590	\$3,218	\$15,808
138	EMPORIA	\$0	\$32,223	\$32,223
139	SALEM	\$86,778	\$22,917	\$109,695
140	BEDFORD CITY	\$0	\$7,910	\$7,910
142	POQUOSON	\$23,330	\$8,090	\$31,420
143	MANASSAS CITY	\$140,954	\$61,520	\$202,474
144	MANASSAS PARK	\$99,457	\$33,339	\$132,796
202	COLONIAL BEACH	\$26,890	\$10,725	\$37,615
207	WEST POINT	\$25,733	\$8,662	\$34,395

State Totals: \$21,470,018 \$15,253,857 \$36,723,875

* Fairfax City is reported with Fairfax County for Remedial Summer School in 2003

* Emporia is reported with Greensville County for Remedial Summer School in 2003

* Bedford City is reported with Bedford County for Remedial Summer School in 2003

Board of Education Agenda Item

Item: _____ N. _____

Date: _____ October 28, 2004 _____

Topic: First Review of the Board of Education's 2004 Annual Report on the Condition and Needs of Public Schools in Virginia

Presenter: Mrs. Anne D. Wescott, Assistant Superintendent for Policy and Communications
Dr. Margaret N. Roberts, Executive Assistant to the Board of Education

Telephone: 804/225-2540

E-mail: anne.wescott@doe.virginia.gov

mroberts@mail.vak12ed.edu

Origin:

_____ Topic presented for information only (no board action required)

_____ Board review required by

___X___ State or federal law or regulation

_____ Board of Education regulation

_____ Other:

_____ Action requested at this meeting

_____ Action requested at future meeting: Final review requested: November 17, 2004

Previous Review/Action:

___X___ No previous board review/action (Note: During the past several months, the Board of Education members have reviewed draft outlines of the proposed contents of the report.)

_____ Previous review/action:

date:

action:

Background Information: The Virginia Code sets forth the requirement for the Board of Education to submit an annual report on the condition and needs of the public schools in Virginia as follows:

§ 22.1-18. Report on education and standards of quality for school divisions; when submitted and effective.

By November 15 of each year, the Board of Education shall submit to the Governor and the General Assembly a report on the condition and needs of public education in the Commonwealth and shall identify any school divisions and the specific schools therein which have failed to establish and maintain

schools meeting the existing prescribed standards of quality. Such standards of quality shall be subject to revision only by the General Assembly, pursuant to Article VIII, Section 2 of the Constitution of Virginia. Such report shall include a complete listing of the current standards of quality for the Commonwealth's public schools, together with a justification for each particular standard, how long each such standard has been in its current form, and whether the Board recommends any change or addition to the standards of quality.

The Board of Education's initial discussion concerning the contents of the 2004 annual report was held at the May 2004 meeting. During the discussion, Board of Education members stated their ideas and suggestions for the report's contents. Based upon that information and direction from the Board, Department of Education staff developed a detailed outline of the report's proposed contents, which was mailed to members in September in order to obtain their suggestions for additions and changes prior to developing the first draft (attached).

Summary of Major Elements: A working draft of the *2004 Annual Report on the Condition and Needs of Public Schools in Virginia* is attached. Several key data points are not yet available; however, it is anticipated that all necessary data will be available to incorporate into the report prior to the Board's final review at the November 17th meeting.

For the October 28th meeting, the Board of Education is requested to discuss the proposed draft and make suggestions for changes, additions, or deletions, which will be incorporated prior to the Board's final review of the report on November 17th.

The *2004 Annual Report on the Condition and Needs of Public Schools in Virginia* will be delivered to the Governor and members of the General Assembly slightly later than November 15 (the due date specified in § 22.1-18 of the Virginia Code) because several essential data points needed to complete the required components of the report are not expected to be available for the Board of Education's final review until the November 17, 2004, meeting.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education receive the draft report for first review and give staff suggestions for additions and changes to incorporate into the report prior to the final review on November 17, 2004.

Impact on Resources: Staff at the Department of Education prepared the attached draft; therefore, there is an administrative impact related to preparing the text of the report and the tables contained therein. In addition, there is a minimal administrative impact for preparing, photocopying, and mailing the report to the intended recipients. The fiscal impact of distributing the report is minimal because Legislative Services guidelines for submitting reports to the legislature require that the reports be submitted on-line rather than in hard copy.

Timetable for Further Review/Action: Data will be added to the report, and the updated document will be presented to the Board of Education for final review and adoption at the November 17, 2004, meeting. Following the Board's final adoption, the report will be transmitted to the Governor and the General Assembly as required by the Code of Virginia.

**DISCUSSION DRAFT:
OCTOBER 28, 2004**

*2004
ANNUAL REPORT ON THE
CONDITION AND NEEDS
OF PUBLIC SCHOOLS IN VIRGINIA*

PRESENTED TO
THE GOVERNOR AND
THE GENERAL ASSEMBLY

(DATE)
VIRGINIA BOARD OF EDUCATION

Members of the Board of Education as of July 30, 2004

(NOTE: Photos of Board members with names and addresses.)

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Superintendent of Public Instruction

Dr. Jo Lynne DeMary
Virginia Department of Education

(Letter of Transmittal)
COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
P.O. BOX 2120
RICHMOND, VIRGINIA 23218-2120

(Date)

The Honorable Mark R. Warner, Governor
Members of the Virginia General Assembly
Commonwealth of Virginia
Capitol Square
Richmond, Virginia 23219

Dear Governor Warner and Members of the Virginia General Assembly:

On behalf of the Board of Education, I am pleased to transmit the *2004 Annual Report on the Condition and Needs of the Public Schools in Virginia*, submitted pursuant to § 22.1-18 of the Code of Virginia. The report contains information about the condition and needs of Virginia's public schools, including an analysis of student academic performance. A major component of this year's annual report is the complete listing of the changes in the Standards of Quality as prescribed by the Board of Education on (date). The amendments will be presented for consideration at the 2005 session of the General Assembly. Also included in the report are the changes the Board prescribed in 2003 that were enacted by the 2004 General Assembly.

I am encouraged by the admirable efforts by the Governor and the members of the General Assembly that led to increased funding for the 2004-06 biennium, in spite of the state's tight fiscal resources. This clearly demonstrates the state's commitment and its confidence in public education as a productive partner in the state's economic growth and development. In that light, I believe the information contained in this report will convince you that staying the course for high academic standards will take our students and our schools to a level of excellence that will help assure parents and other citizens that all students have the opportunity for an educational experience that is second to none.

To get the results we are seeking for all students, we must maintain our sharp focus on shared accountability for student achievement. The Board of Education cannot achieve these goals alone. Our partners at the state and local level, parents, students, and educators in schools, colleges, and literacy programs all have essential roles to play.

The members of the Board of Education are grateful for the cooperation and support of the Governor and the members of the General Assembly have given to Virginia's school improvement efforts. These efforts are showing positive results for our students and schools, and each of us on the Board of Education looks forward to working closely with you as we continue our important work together.

Sincerely,

(signature)

Thomas M. Jackson, Jr.
President

Preface

Statutory Authority for the Annual Report:

The Code of Virginia, in § 22.1-18, states:

By November 15 of each year, the Board of Education shall submit to the Governor and the General Assembly a report on the condition and needs of public education in the commonwealth and shall identify any school divisions and the specific schools therein which have failed to establish and maintain schools meeting the existing prescribed standards of quality. Such standards of quality shall be subject to revision only by the General Assembly, pursuant to Article VIII, Section 2 of the Constitution of Virginia. Such report shall include a complete listing of the current standards of quality for the commonwealth's public schools, together with a justification for each particular standard, how long each such standard has been in its current form, and whether the Board recommends any change or addition to the standards of quality.

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Executive Summary

The *2004 Annual Report on the Condition and Needs of the Public Schools in Virginia* summarizes information on the most significant objective measures of the condition and progress of public schools in Virginia. Highlights of the findings include the following:

- (1) Local division compliance with the Standards of Quality... (*Summary of findings here.*)
- (2) Local school compliance with the Standards of Accreditation... (*Summary of findings here.*)
- (3) Results of on-site reviews of struggling schools show clearly that schools rated Accredited with Warning need additional help to use classroom instructional time effectively and to monitor the implementation of effective programs;
- (4) Results of state and national tests, including performance requirements of the No Child Left Behind Act (NCLB) point to areas of strength as well as weaknesses in student academic achievement. This year, more than two-thirds of Virginia's public schools met or exceeded NCLB achievement objectives. African-American students, Hispanic students, limited English proficient students, disadvantaged students, and white students all exceeded the 2003-2004 objectives for reading, mathematics, and science. While the results are encouraging, the achievement gap among the student groups is persistent and troubling.

A major component of this year's annual report is the complete listing of the changes in the Standards of Quality as prescribed by the Board of Education at its meeting in (date). Highlights of the prescribed amendments include the following: (*Summary statement here.*)

The report closes with an overview of the challenges in the coming year to help address the condition and needs of Virginia's public schools, including (*Summary statement here.*)

The appendices to the report provide data on the context of elementary, middle, and secondary education in terms of enrollment trends; student achievement; rates of progress among different student population groups; and the contexts of elementary, middle, and secondary education in terms of funding levels, teacher qualifications, and other factors.

Improving Schools and Measuring Success

In Virginia, academic standards are in place, and educators are implementing them. Virginia has a valid and reliable assessment system in place to gauge student progress, and accountability goals for English, mathematics, science, and history and social science. While this year's achievement results are encouraging, we still have much to accomplish. As we forge ahead, our goal is for all students to reach new levels of achievement.

Most importantly, student achievement and learning are improving. State assessments and other important objective measures document steady academic progress. The persistence and hard work of countless individuals — qualities that distinguish virtually all successful endeavors— have helped Virginia's students achieve at impressive levels. Teachers and students across the state have stepped up to the challenge. Now the question becomes: How do we build on this success, sustain it, and go beyond current achievement levels?

Highlights of our students' progress include the following: (*Summary statement here.*)

Assistance and Support from the Governor and the General Assembly

The challenge of promoting student achievement and accountability for Virginia's public schools is greater than ever. The Board of Education's ability to meet that challenge, however, is significantly improved thanks to the professional dedication, creativity, and expertise of Virginia's teachers and school leaders. In addition, gubernatorial leadership and General Assembly support have given the Board of Education new authority and resources. The challenges may be great, but so are the opportunities for real and substantial improvement in our public schools and in student academic achievement.

2004-2006 Biennial Budget:

The General Assembly's adopted budget for the 2004-2006 biennium significantly increases state funding for public education, providing \$1.5 billion in additional funding for the public schools. As a part of its adopted budget, the 2004 General Assembly passed legislation recommended by the Board of Education to amend the Standards of Quality (SOQ). The budget approved by the General Assembly includes funding for elementary resource teachers; technology positions; a planning period for secondary (i.e., middle and high school) teachers; and establishing a funding formula for the prevention, intervention, and remediation program proposed by the Board of Education.

In addition to the additional SOQ funding, the budget also provides \$100,000 towards a capital needs assessment and feasibility study for consolidating the state's two existing schools for the deaf, blind, and multi-disabled. Another important addition was the increase in the number of instructional positions from 10 to 17 per 1,000 students for whom English is a second language.

**Board of Education Recommended Changes to the
Standards of Quality Funding Provided in the 2004-2006 Budget**

SOQ Provision Prescribed by the Board of Education	FY 2005 State Funding	FY 2006 State Funding
Revised methodology to fund the SOQ prevention, intervention, and remediation program	\$63.8 million	\$64.4 million
Five elementary resource teachers per 1,000 students	\$74.2 million	\$75.5 million
One quarter of the daily planning period for teachers at the middle and high school level the first year, and the full daily planning period for teachers at the middle and high school levels the second year;	\$27.0 million	\$128.9 million
One support technology position per 1,000 students in grades K-12	\$4.6 million	\$4.7 million
One support technology position and one instructional technology position per 1,000 students in fiscal year 2006 only		\$11.2 million
	\$169.6 million	\$284.7 million

Governor Warner's Education for a Lifetime Initiatives:

Project Graduation Regional Summer Academies:

Project Graduation encompasses a number of special programs designed to help students meet requirements for the high school diploma. Components of this multifaceted program include the Summer Regional Academies opened in 2003 (reading, writing and Algebra I), online courses in English 10 and English 11 during the summer and early fall of 2003, and Spring Regional Academies offered in 2004. The program also included statewide access to an online tutorial for high school seniors who have yet to pass the Standards of Learning English reading test required for graduation.

Summer School 2004 Scholarships for English 10 and 11:

Scholarships were provided to certain students to cover the fees for online English 10 or 11 summer school courses in 2004. To be eligible for scholarships, students had to be rising seniors, have failed the course and the English reading or writing Standards of Learning assessment, and the course was not readily available for summer school enrollment.

The Great Virginia Teach-In: March 27-28, 2004:

The Governor's first Great Virginia Teach-In was conducted in Richmond in March 2004. This event was established as one of Governor Warner's recruitment initiatives and proclaimed by the 2004 General Assembly in House Joint Resolution No. 168 as the Great Virginia Teach-In. A total of 3,824 prospective teachers attended, and 102 of 132 school divisions (77%) participated in the Teach-In. While it was expected that most of the attendees would come from within the state, more than a fifth of the attendance was composed of individuals residing outside of Virginia, representing 42 states. Virginia participants represented 286 localities in more than 100 counties and cities.

Turnaround Specialists:

Governor Warner spearheaded the turnaround specialist program to equip talented principals with

additional training and tools to help improve student achievement in schools that have consistently fallen short of federal or state achievement goals. In the summer of 2004, ten elementary and middle school principals underwent intensive, specialized training at the Darden School at the University of Virginia and are now placed in struggling schools throughout the state.

Race to the GED:

The goal of the Race to GED instruction is to double the number of Virginians earning a GED certificate by December 2005. The Fast-Track GED reduces the time it takes to earn a GED certificate from one year to as little as 90 days. Since January 2004, more than 850 people have qualified for Fast Track GED or GED Prep programs at Race to GED pilot sites across the state. To date, 350 people have completed the program, tested, and earned a GED certificate.

School Division Efficiency Reviews:

The purpose of the reviews is to identify savings that can be gained in a local division through best practices in organization, human resources, facilities, finance, transportation, and technology management, thereby allowing divisions to divert administrative savings back into the classroom. Three pilot reviews (New Kent County, Richmond City, and Roanoke County) are now complete, resulting in significant cost savings and efficiencies for each division. For example, potential savings nearly 5% of annual noninstructional operating costs were identified in New Kent, and the Richmond City school system could save more than \$2.1 million a year by following the recommendations of the audit team.

Partnership for Achieving Successful Schools (PASS):

The Governor's Partnership for Achieving Successful Schools (PASS) initiative is aimed at the approximately 32 schools across Virginia whose performance on the SOL exams merit extra focus and help. PASS brings together academic, business and community resources in support of these schools. *(More information available in early November. . . .)*

Early College Scholars Program:

High school seniors become Early College Scholars by signing an Early College Scholar Agreement in their junior or senior year and completing the terms of the agreement upon high school graduation. Eligible high school seniors can complete their high school diploma and concurrently earn a semester's worth of credits (15 credit hours) that can be used towards a college degree. Early College Scholars also take online and satellite AP courses through the Virginia Virtual Advanced Placement School free of charge. As of September 2004, nearly 400 students have registered for classes through the Virginia Virtual Advanced Placement School.

Path to Industry Certification:

This initiative provides high school seniors an opportunity to earn their high school diploma and complete technical preparation and industry certification by enrolling in tuition-free training at a Virginia community college immediately following graduation. Currently, 94 students from four community college regions are pursuing one of eighteen industry certifications offered. This program also provides training and testing for Career and Technical Education teachers to achieve industry certification so that their students will be eligible for the student-selected verified credit. Of the 975 teachers who have participated since January 2004, 862 have received certification and 49 additional teachers are expected to complete the program by the end of the year.

Board of Education's Accomplishments in 2004

Virginia's public schools are becoming better for three basic reasons. First, Virginia has identified the academic standards that teachers should teach and students should learn. Second, Virginia's schools are devoting their fiscal and human resources to teaching and learning the academic standards. Third, teachers and students across Virginia are working hard to reach higher academic expectations. The Board of Education seeks to do its part to keep the forward momentum going. In that light, the Board has defined six major priorities for the coming years.

Priority 1: We will strengthen Virginia's public schools by providing challenging academic standards for all students. Highlights of recent Board of Education actions include: (*Brief description of SOL test results.*)

Priority 2: We will enhance the academic program and the quality standards for public education in Virginia. Highlights of recent Board of Education actions include:

- Presented amended Standards of Quality at the 2004 session of the General Assembly. Many of the amendments prescribed by the Board were adopted and funded by the legislature, including provisions for five elementary resource teachers per 1,000 students; one support technology position per 1,000 students the first year, and one support technology position and one instructional technology position per 1,000 students the second year; one quarter of the daily planning period for teachers at the middle and high school level the first year, and the full daily planning period for teachers at the middle and high school levels the second year.
- Sought and received new authority that modifies the current school compliance process within the Standards of Quality to authorize the Board of Education to require an academic review of any school division that, through the school academic review process, fails to implement the SOQ. The new provisions also require the reviewed school division to submit for approval by the Board a corrective action plan setting forth specific actions and a schedule designed to ensure that schools within its school division achieve full accreditation status.
- Revised standards for guidance programs: The *Standards for School Counseling Programs in Virginia Public Schools* are arranged in three domains: academic development, career development, and personal/social development and in four grade groups: Kindergarten-3rd, 4th and 5th, 6th - 8th, and 9th - 12th.
- Adopted criteria and procedures for conducting division-level academic reviews and improved the procedures used in conducting school-level reviews.
- Adopted *Guidelines for the Establishment of Joint or Regional Continuation High School Programs*. Joint or regionally operated continuation high schools or programs provide educational options that extend beyond the twelfth grade for students who have not met the requirements for a high school diploma by the completion of that grade.
- Established amendments to the criteria and a process for the Board of Education to review charter school applications, consistent with existing state law.

- Approved the Stanford English Language Proficiency test and certain locally developed and/or selected instruments to measure the English language proficiency of Limited English Proficient students.
- Approved the criteria and process for adopting instructional methods or models/programs that have been proven to be effective in assisting schools accredited with warning in English or mathematics.
- Received the recommendations from the joint committee to study feasibility of developing a curriculum for nutrition and exercise for K-12 students.

Priority 3: We will continue efforts to enhance the training, recruitment, and retention of highly qualified teachers and administrators. Highlights of recent Board of Education actions include:

Actions taken in 2004 include the following:

- Adopted criteria for the alternate route program for highly qualified teachers.
- Participated in developing a regional cooperative for teacher licensing.
- Formed a consortium of surrounding states to create the Meritorious New Teacher Candidate designation.
- Established Proficiency Levels for the American Council on Teaching Foreign Languages (ACTFL) Oral Proficiency Interview and Writing Proficiency Test.

The Teacher Enhancement Initiative:

The emphasis on teacher quality is an important extension of Virginia's efforts to increase student achievement. Recent studies in Tennessee, Boston, and Texas confirm that students taught by the most qualified and effective teachers achieve at higher levels. New, higher performance objectives under the NCLB provisions create a double challenge for all states for increasing both the quality of teachers and the overall number necessary to staff classrooms in the face of impending teacher shortages. Virginia has taken several steps to address the teacher shortage and quality issue.

Highlights include:

- The "Career Switcher" program has enabled highly qualified new teachers to enter the classrooms from other professions without going through traditional teacher preparation programs. As of May 2004, the program had graduated a total of 434 highly qualified teacher candidates since the program's inception in 1999.
- The Virginia Teaching Scholarship Loan Program provides scholarships to students who agree to teach in a critical shortage field in a Virginia public school.
- A statewide mentoring program provides grants totaling \$1.04 million to participating school divisions to pilot research-based mentoring programs. Each program has a record of success in helping new teachers make the transition from teacher-preparation and career-switcher programs to the classroom, especially in hard-to-staff schools. The funds flow from a \$13.5

million dollar Teacher Quality Enhancement Grant Virginia received last fall from the U.S. Department of Education.

Priority 4: We will support accountability and continuous improvement in all schools. Highlights of recent Board of Education actions include:

- Developed the division-level review process and refined the school-level review process.
- Established the Plain English and Mathematics test as a substitute test of numeracy for certain students with disabilities who are pursuing the Modified Standard Diploma.
- Established or revised cut scores for the following tests:
 - ✓ History Standards of Learning tests based on the 2001 standards revision
 - ✓ Workkeys: Reading for Information, Workkeys: Applied Mathematics, and ACT: EXPLORE as substitute tests for the literacy and numeracy requirements of the Modified Standard Diploma
 - ✓ “Plain English” Standards of Learning Mathematics tests for grades 3, 5, and 8
 - ✓ Reading subtest of the Stanford English Language Proficiency Test when used as a substitute for the Standards of Learning grade 3 English test and the grade 5 and 8 Standards of Learning reading tests

Priority 5: We will assist teachers to improve the reading skills of all students, especially those at the early grades. Highlights of recent Board of Education actions include:

- Established a reading assessment for elementary teachers: In April 2003, the Board of Education adopted a recommendation of the Advisory Board on Teacher Education and Licensure to require a reading instructional assessment for elementary preK-3 and preK-6 teachers and special education teachers, and reading specialists no later than July 1, 2004. This test is now being administered to new licensure candidates. In June 2004, the Board of Education modified its policy to exempt from the required assessment teachers of early childhood special education, teachers of students with severe disabilities, and speech language pathologists.
- Cooperated in expanding the state’s programs for four-year olds: Last year, the initiative served 5,858 four-year-olds in Virginia. The added state dollars make the Virginia Preschool Initiative available to an additional 1,500. Virginia's Preschool Initiative supplements the work of the federally funded Head Start program, which served more than 70,000 children last year. The initiative requires localities to match the funds they receive through the program, either monetarily or by providing classroom spaces, administrative support or other necessities.

Priority 6: We will provide leadership for implementing the provisions of the No Child Left Behind Act (NCLB) smoothly and with minimal disruption to local school divisions. Highlights of recent Board of Education actions include:

- Developed and implemented an achievement recognition award for Title I schools for local school divisions that exceed adequate yearly progress (AYP) requirements.

- Approved criteria for High Objective Uniform State Standard of Evaluation (HOUSSE) for Virginia.
- Negotiated with the U.S. Department of Education (USED) regarding regulations limiting the number of students with disabilities whose proficient score on state assessments based on alternate achievement standards could be counted in calculating AYP. In Virginia, this is the Virginia Alternate Assessment Program (VAAP). The limit set by USED is one percent of the students tested at the applicable grade levels. Under the provision that permits states to request an exception to this cap, the Board negotiated at 1.13 percent cap.
- Modified the process for calculating and reporting the AYP status of “small n schools,” which are those schools with 50 or fewer students enrolled in the tested grades or courses.

Compliance with the Requirements of the Standards of Quality

(Summary statement here.)

Compliance with the Requirements of the Standards of Accreditation

(Summary statement here.)

Condition and Needs of Virginia's Lowest Performing Schools and School Divisions

Division-Level Review Results

(Summary statement here.)

School-Level Results:

Beginning with the 2000-2001 school year, any school rated Accredited with Warning has been required to undergo an academic review, an on-site review conducted by an independent team of professional educators. Each review consists of an initial visit, an on-site review, and follow-up visits. Following the team's on-site review, detailed reports are generated citing specific areas of strength, areas for improvement, and essential actions that should be taken to correct the weaknesses. Schools undergoing the reviews are then required to develop and implement a school improvement plan, which must outline specific actions the school staff will implement to correct each area of weakness.

The number of schools rated Accredited with Warning decreased from 211 schools in 2000-2001 to 47 schools in 2003-2004. Of the 47 schools receiving academic reviews, 33 have been warned in at least two of the last three years. The locations and types of all schools are rated Accredited with Warning in Appendix ____.

Overall Findings:

As in previous years, schools rated Accredited with Warning needed more help in applying effective

strategies for using their classroom instructional time productively. Using data also continues to be an area for improvement in warned schools, although improvement over last year is seen. However, establishing systems for monitoring the implementation and effectiveness of new programs is an area of need in warned schools.

Areas of Strength:

An analysis of data revealed that areas of strength were in use of instructional time, curriculum alignment, and school improvement planning.

Areas Needing Improvement:

Review results reveal three main areas in need of improvement, as follows:

1. Use of classroom instructional time:

- Engaging students in learning activities
- Maximizing time on task
- Differentiating strategies

2. Having systems for monitoring and adjusting implementation of initiatives:

- Implementing new practices learned through professional development activities
- Observing classroom instruction and providing feedback
- Monitoring implementation of school improvement plan strategies

3. Analyzing and using data:

- Determining if initiatives are being implemented as intended
- Determining effectiveness of programs in improving student achievement
- Providing evidence of implementation of school improvement plan strategies

Condition and Needs of Virginia's Schools as Identified by State and National Test Results

Standards of Learning Test Results:

Achievement gap data: by ethnicity, disability, ESL (summarize here--put full tables in the appendix)

Advanced Placement Test Results:

The number of Virginia public school students taking at least one AP examination has increased by more than 20 percent since 2000. The number of Virginia high school students who took Advanced Placement (AP) examinations jumped by 7.8 percent this year. The number of tests taken that qualified the student for college credit increased 9.2 percent over 2003.

The number of Virginia's African-American public school students taking at least one AP examination rose 5.7 percent in 2004, and 1,445 of the tests taken by African-Americans received a grade of 3 or better, an increase of 10.4 percent over the previous year. In addition, more of Virginia's Hispanic public school students are taking AP courses and qualifying for college credit. The number of Hispanic students taking at least one AP examination rose 8.2 percent in 2004. Of the 2,509 AP tests taken by Hispanic public school students during 2004, 1,495 received a grade of 3 or above, which represented a 9.9 percent increase in the number of tests qualifying for college credit taken by Hispanic students.

About 75 percent of Virginia high schools offer Advanced Placement courses. Other students can take classes through the virtual Advanced Placement school, which gives them access to courses online.

2004 SAT-I Results:

The average scores of Virginia students on the verbal and mathematics portions of the SAT I in 2004 were little changed from last year. Public school students achieved an average verbal score of 512, which also represented a one-point increase over the previous year. The national average on the verbal portion of the SAT-I was 504 for public school students. The national averages were up a point when compared with 2003. The average score of public school students in Virginia on the mathematics portion of the test was 506, which was down two points compared with 2003. The national average score on the mathematics portion of the SAT I for 2004 was 513 for public school students. The national average for mathematics on the SAT-I was unchanged for public school students. The average score of Virginia public school students on the verbal portion of the SAT-I has increased by six points since 2000 and the average score on the mathematics portion of the test has increased by nine points.

Condition and Needs of Virginia's Schools as Identified by the Adequate Yearly Progress Results for Virginia's Schools

More than two-thirds of Virginia's public schools met or exceeded No Child Left Behind Act (NCLB) achievement objectives during the 2003-2004 school year. Of the 1,831 public schools, 1,257 (69 percent) met the federal education law's complex requirements for Adequate Yearly Progress (AYP). This represents an improvement over 2002-2003, when 58 percent of the commonwealth's public schools met the requirements for AYP.

As a state, Virginia met 28 of the 29 AYP objectives. African-American students, Hispanic students, LEP students, disadvantaged students, and white students all exceeded the 2003-2004 objectives for reading, mathematics, and science. Gains in mathematics achievement were especially notable, with the percentage of Virginia students making the Annual Measurable Objectives in mathematics tests increasing to 82 percent, compared with 78 percent during 2002-2003.

Of the 507 schools that did not make AYP during 2003-2004, 170 met all but one of the federal law's 29 objectives for achievement, participation in statewide testing, attendance, and/or graduation. One hundred thirty-six schools met all but two benchmarks, and 80 schools met all but three of the 29 AYP objectives. Taken together, 1,643, or 90 percent of Virginia's schools either made AYP or achieved at least 26 of the objectives. Highlights of the AYP results show that:

- All student subgroups in Virginia made the Annual Measurable Objectives in mathematics.
- Overall achievement in reading remained steady, with 79 percent of Virginia students meeting the Annual Measurable Objectives in reading during 2003-2004. Students with disabilities constituted the only subgroup that did not meet the Annual Measurable Objectives in reading.
- Eighty-four percent of Virginia students met the Annual Measurable Objectives in science, compared with 81 percent during 2002-2003. All student subgroups showed improved performance in science.
- Twenty-nine of Virginia's 132 school divisions made AYP during 2003-2004, compared with

21 during the previous year.

- Of the 103 school divisions that did not make AYP, 28 met all but one of the 29 objectives for achievement and participation in testing for reading and mathematics.
- Nearly seven out of ten Title I schools in Virginia made AYP during 2003-2004.
- Eighty-eight Title I schools entered their first year of improvement based on achievement in reading and/or mathematics in 2003-2004 and must offer students the option of transferring to a higher-performing public school for the 2004-2005 school year.
- Sixteen Title I schools entered year two of improvement status, and in addition to offering transfers, also must provide supplemental education services or tutoring free-of-charge to children who request these services.
- Fifteen Title I schools entered year three of improvement status. These schools must offer transfers, supplemental educational services, and take at least one of several corrective actions specified in the law to raise student achievement.

Prescribed Revisions to the Standards of Quality: Recommendations and Rationale

At its planning session in April, the Board of Education initiated a discussion of the provisions contained in the Standards of Quality as prescribed by the Board of Education. The president of the Board outlined his view of the frame of reference for the requirements of the Standards of Quality, i.e., the provisions of the SOQ must be clear and must set forth requirements for (1) teaching; (2) testing; (3) analysis of data; (4) remediation. The Board identified issues for further examination to determine whether or not additional revisions to the SOQ are warranted. The issues discussed by the Board include the following: (*Summary statement here....*)

Challenges for 2005 and Beyond

The condition and needs of Virginia's public schools described in this report should be viewed as guideposts for action. While the results of Virginia's statewide Standards of Learning testing program and other objective measures echo our students' strengths, the results also point toward critical areas of need that will undermine Virginia's future success if not addressed quickly and effectively.

(*Note: A partial list of future challenges is shown below. A short summary description of each topic will be included.*)

Closing the achievement gap:

Ensuring meaningful, on-going professional development for teachers and administrators:

Coping with the huge growth in the population of students who do not speak English:

Assisting chronically low-performing schools:

Ensuring that all children learn to read at grade level:

Implementing and meeting the requirements of the No Child Left Behind Act of 2001:

Developing, implementing, and using a student-level data base:

Helping the “hard-to-staff” schools:

Advocating for higher teacher salaries and helping schools recruit and retain highly qualified teachers:

(Other topics to be determined by the Board of Education....)

Appendices

Appendix A: Virginia's Public Schools: Demographic and Statistical Data

Enrollment in the public schools statewide (September 30 fall membership report):

2004:
2003: 1,192,539
2002: 1,176,557
2001: 1,163,094
2000: 1,144,913

Attendance rates:

2003-2004: 95.0 percent
2002-2003: 94.9 percent

Enrollment in the Virginia Preschool Initiative:

Last year, the initiative served 5,858 4-year-olds in Virginia. For 2004, additional state funds were provided to make the Virginia Preschool Initiative available to an additional 1,500. Virginia's Preschool Initiative supplements the work of the federally funded Head Start program, which served more than 70,000 children last year. The initiative requires localities to match the funds they receive through the program, either monetarily or by providing classroom spaces, administrative support or other necessities.

Enrollment in English as a Second Language Programs (ESL) statewide:

2003: 60,306
2002: 49,840

Enrollment in Career and Technical Education (CTE) Programs:

2002-03: 574,686
2003-04: 585,115

(Note: Students are counted for each CTE class taken; therefore, some students are counted more than once.)

Enrollment in Special Education Programs: *(Give totals here.)*

Enrollment in Gifted Education programs: 147,832

Number of students eligible for free or reduced price lunch program (as of October 31, 2003):

Program	Number of Eligible Students	Percent of Statewide School Enrollment
Free lunch	290,408	25.30%
Reduced-price lunch	84,029	7.32%
Total	374,437	32.63%

Total number of home-schooled students in Virginia:

2003-2004: 18,102

2002-2003: 16,542

Total number of Virginia's students with religious exemption from school attendance:

2003-2004: 5,628

2002-2003: 5,479

Number of students who transferred under the choice provision under the *No Child Left Behind Act of 2001* for the 2003-2004 School Year:

- Number of schools in the state that received Title I funds: 791
- Number of students enrolled in all schools in the state that received Title I funds: 349,938
- Number of Title I schools in the state that had at least one student transfer to other schools under the school choice provision of NCLB: 31
- Number of students who transferred to other schools in the state because of the school choice provision of NCLB: 432

Staffing trends:

- Highly qualified teachers in Virginia for the 2003-2004 school year:
 - ✓ 94.5 percent of classes were taught by highly qualified teachers.
 - ✓ 92.2 percent of classes were taught by highly qualified teachers in
 - ✓ high poverty schools.
 - ✓ 96.5 percent of classes were taught by highly qualified teachers in low
 - ✓ poverty schools.
- Highest degrees held by teachers in Virginia (2003-04 school year):
 - ✓ 56.8 percent hold bachelor's degrees (compared to 56.3 in 2002-03 school year)
 - ✓ 41.9 percent hold master's degrees (compared to 42.3 in the 2002-03 school year)
 - ✓ 0.5 percent hold doctorate degrees (compared to 0.6 in the 2002-03 school year)
 - ✓ 0.8 percent unknown--These teachers should be those holding technical professional licenses without degrees.
- Provisional and Special Education Conditional Licenses (2003-2004 school year):
 - ✓ 8.0 percent of teachers were teaching on provisional licenses (compared to 9.2 the 2002-03 school year).
 - ✓ 2.1 percent of teachers were teaching on special education conditional licenses (compared to 2.5 percent in the 2002-03 school year).

Graduation rate for 2002-2003:

Type of diploma awarded to graduates: 1999-2000 through 2002-2003:

Dropout rate:

2002-2003: 2.17 percent

2001-2002: 2.02 percent

Finance:

Per pupil expenditures for operations for FY 1993-FY 2003: State (including sales tax funds), local,

and federal funds (*table here*)

General Fund legislative appropriations: Total state, total K-12, total direct aid to public education (*table here*)

School safety data:

A total 344,184 incidents of discipline, crime, and violence were reported for the 2002-2003 school year. Over three-quarters of offenses reported (78.44%) were disorderly conduct offenses. Fighting not resulting in injury accounted for 7.24% of all offenses, followed by threat/intimidation (2.61%), tobacco products violations (1.87%), battery with no weapon (1.80%), and bullying (1.49%). Accounting for less than one percent of offenses reported were drug offenses (0.98%), vandalism (0.93%), sexual offenses (0.90%) and other weapons (0.58%). Offenses accounting for less than one-half of one percent of offenses reported included fighting with injury [(0.40%), battery against staff (0.38%), alcohol-related offenses (0.30%), trespassing (0.19%), toy/look-alike gun (0.10%), breaking and entering (0.10%), and gang activity (.05%). The total of all remaining offenses accounted for less than 1/10 of one percent of offenses reported. No homicide, kidnapping, or rape was reported.

Appendix B: Analysis of the Standards of Learning Assessment Results by Ethnicity, Gender, Disability Status, and English Proficiency

Appendix C: Locations and Types of Schools Rated Accredited with Warning

Appendix D: The Standards of Quality: Amendments Adopted by the Board of Education in June 2003 that have not been Adopted by the 2004 General Assembly

Appendix E: The Standards of Quality: Overview of the Recent Legislative Changes in the Current Standards (*Rationale for changes to be added here.*)

Appendix F: Full text of the Proposed Changes to the Standards of Quality, Adopted by the Board of Education on _____, 2004

Appendix G: List of Data and Reports Used to Document the Condition and Needs of the Public Schools in Virginia and Compliance with the Standards of Quality

Board of Education Agenda Item

Item: _____ O. _____

Date: October 28, 2004

Topic: First Review of the 2004 Annual Report on Regional Alternative Education Programs

Presenter: Ms. Diane L. Jay, Specialist, Office of Program Administration and Accountability

Telephone Number: (804) 225-2905

E-Mail Address: djay@mail.vak12ed.edu

Origin:

_____ Topic presented for information only (no board action required)

X Board review required by
 X State or federal law or regulation
 _____ Board of Education regulation
 _____ Other: _____

X Action requested at this meeting _____ Action requested at future meeting:

Previous Review/Action:

X No previous board review/action

_____ Previous review/action
 date _____
 action _____

Background Information: Section 22.1-209.1:2 of the *Code of Virginia* requires that a report be provided annually by the Board of Education to the Governor and the General Assembly on the effectiveness of the Regional Alternative Education Programs. The 1993 General Assembly approved legislation and funding to create regional pilot programs to provide an educational alternative for certain students who have a pending violation of school board policy, have been expelled or suspended on a long-term basis, or are returning from juvenile correctional centers. A formula based on staffing patterns and the composite index of local ability-to-pay determines continuation funding for the programs.

Summary of Major Elements: During 2003-2004, 3,534 students were placed in one of the 29 regional programs. One hundred thirteen (113) school divisions participate in the 29 regional programs. Effectiveness of these programs can be demonstrated by decreases in the areas of discipline, crime, and violence incidences. An annual report that summarizes the status of the regional programs is attached.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education waive first review and approve the 2004 Annual Report on Regional Alternative Education Programs pursuant to §22.1-209.1:2, *Code of Virginia*.

Impact on Resources: The provisions of this item may require the Department of Education to employ an external evaluator to annually assess the effectiveness of the Regional Alternative Education Programs. This impact can be absorbed within the existing resources at this time.

Timetable for Further Review/Action: Following approval, the report will be forwarded to the Governor and the General Assembly as required by §22.1-209.1:2, *Code of Virginia*.



VIRGINIA BOARD OF EDUCATION

2004 Annual Report

REGIONAL ALTERNATIVE EDUCATION PROGRAMS

PRESENTED TO

**THE HONORABLE MARK R. WARNER
GOVERNOR OF VIRGINIA
AND
THE GENERAL ASSEMBLY**

October 28, 2004

VIRGINIA BOARD OF EDUCATION

Preface

Section 22.1-209.1:2 of the *Code of Virginia* requires that a report be provided annually by the Board of Education to the Governor and the General Assembly on the effectiveness of the Regional Alternative Education Programs.

The staff member assigned to the preparation of the report was Diane L. Jay, Specialist, Office of Program Administration and Accountability, Division of Instruction, Virginia Department of Education, P. O. Box 2120, Richmond, Virginia 23218-2120. Questions concerning the report should be directed to Ms. Jay at (804) 225-2905 or by e-mail at djay@mail.vak12ed.edu.

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Executive Summary

The regional alternative education programs were established by the General Assembly in 1993-1994 with the intent to involve two or more school divisions working in collaboration to establish options for students who have a pending violation of school board policy, have been expelled or suspended on a long-term basis, or are returning from juvenile correctional centers. Section 22.1-209.1:2 of the *Code of Virginia* requires that a report be provided annually by the Board of Education to the Governor and the General Assembly on the effectiveness of the regional alternative education programs. To complete the 2004 annual report, information was collected and analyzed from the 29 programs based on 2003-2004 data.

Evaluating alternative education programs is a complex endeavor. In addition to serving a different type of student, many regional alternative education programs have different policies and administrative procedures than those typically found in traditional K-12 schools. As in regular education settings, alternative programs also vary in their academic standards, structure and accountability mechanisms, basic goals and objectives, parent and community involvement, disciplinary policies, and crisis intervention procedures. In evaluating these centers, the accountability and outcome measures used for mainstream schools are not always as applicable.

A majority of Virginia's regional programs are transitional in nature with the intent of transitioning students back into regular schools. Alternative education accountability measures include shorter-term measures and measures that recognize that many youth in the regional programs cycle in and out of a program before experiencing steady progress. Students are placed in the programs for relatively short periods of time—often a year or less—and traditional assessments often do not accurately reflect the progress the student has made in the program. Other performance outcomes include measures of student motivation, learning to learn, and ability to master content.

The data indicate that the regional alternative education programs continue to provide an alternative learning environment for identified disruptive students. The effectiveness of these programs can be demonstrated in the areas of discipline, crime, and violence-related incidences where there were substantial decreases. Standards of Learning assessment scores collected on these students in 2003-2004 provide a baseline for future evaluation studies. In the fall of 2003, the Virginia Department of Education began using unique student identification numbers for every student in the state. The identification numbers will be a valuable tool in the future in matching alternative students to Standards of Learning results and also to track behavior offenses.

Chapter One

Purpose

The purpose of the regional alternative education programs is to encourage two or more school divisions to work in collaboration to establish options for disruptive students who no longer have access to traditional school programs or who are returning from juvenile correctional centers.

Reporting

Section 22.1-209.1:2 of the *Code of Virginia* requires that the Board of Education provide a report to the Governor and the General Assembly annually on the effectiveness of the regional alternative education programs.

Background

In 1993, the Board of Education established and implemented four regional pilot projects to provide an educational alternative for certain disruptive students. The General Assembly subsequently provided funding to make regional alternative education programs available on a statewide basis. State and federal monies are made available for these programs each year with school divisions providing in-kind support for such items as instructional materials, additional staff, pupil transportation, and facilities. A Department of Education formula based on staffing patterns and the composite index of local ability to pay determines funding.

As of July 1, 2004, there are 29 regional programs statewide involving 113 school divisions. A listing and description of the programs, with their center identification numbers, are found in Appendix A.

Establishment of Sites and State Appropriations

The following information presents the growth of the sites and the state appropriations since the first four regional alternative education programs were established in 1993-1994.

Year	No. of Sites	State Funding
1993-1994	4 sites	\$1,200,000
1994-1995	13 sites	*\$1,200,000
1995-1996	19 sites	*\$1,200,000
1996-1997	29 sites	**\$4,142,000
1997-1998	29 sites	\$3,716,652
1998-1999	29 sites	\$4,431,089
1999-2000	29 sites	\$4,484,123
2000-2001	30 sites	\$5,766,626
2001-2002	30 sites	\$5,386,590
2002-2003	30 sites	\$5,386,590
2003-2004	29 sites	\$5,210,891
2004-2005	29 sites	\$5,486,348

*Federal funds supplemented the state appropriation in order to expand the number of programs.

**First year state funding formula was applied.

Chapter Two

Targeted Students

Each program involves two or more school divisions working in collaboration to establish options for students who no longer have access to traditional school programs or are returning from juvenile correctional centers. Specifically targeted are students who have been:

- referred due to a violation of a school board policy;
- expelled or suspended on a long-term basis; or
- released from a juvenile correctional center and identified by the superintendent of the Department of Correctional Education and the program's local division superintendent to be in need of an alternative program.

Program Design

Alternative education programs are designed to meet the specific individual needs of students placed in the programs. While there is some variation in programs, the legislation outlines the following components:

- an intensive, accelerated instructional program with rigorous standards for academic achievement and student behavior;
- a low pupil-teacher ratio (the average ratio is one teacher for every ten students) to promote a high level of interaction between the student and teacher;
- a plan for transitioning the enrolled students into the relevant school division's regular program;
- a current program of staff development and training;
- a procedure for obtaining the participation and support from parents as well as community outreach to build school, business, and community partnerships; and
- measurable goals and objectives and an evaluation component to determine the program's effectiveness.

Delivery of Services

The delivery of services ranges from classroom instruction to distance learning and includes day, after school, and evening programs. Alternative education centers have flexibility with regard to their organizational structure, schedule, curriculum, programs, and disciplinary policies. While they may differ in delivery, the services they provide typically fall into the following categories:

- educational (core subject instruction, vocational, remediation, tutoring)
- counseling (individual, group, family);
- social skills training;
- career counseling (transitioning to the world of work, job shadowing, mentoring, work/study agreements);
- technology education (direct instruction, Internet research, keyboarding);
- conflict resolution and mediation; and
- drug prevention education.

Student Demographics for 2003-2004

Ethnicity

White, not Hispanic	1,837
Black, not Hispanic	1,501
Hispanic	109
Unspecified	55
Asian/Pacific Islander	24
American Indian/ Alaska Native	8
Total	3,534

Gender

Male	2,514
Female	1,020
Total	3,534

Collaborative Efforts

Assurances are signed each year between participating school divisions to ensure joint participation in the continued activities of the programs. In addition, other collaborative efforts among school divisions include parental involvement in the education process, interagency agreements, and a plan of community outreach.

Chapter Three

Contributing Factors to Successful Results

Project administrators cite the following as contributing factors to successful results of their programs:

- small school size;
- small student-to-teacher ratio;
- effective communication with probation officers, the courts, and social services;
- individual, individualized, and small group instruction;
- teacher and staff collaboration;
- parental support;
- site separation from sending schools;
- cooperation from sending schools;
- support from school boards; and
- infusion of technology.

Evaluating the Regional Programs

The 2003-2004 evaluation focused on the following four areas to determine program effectiveness: 1) academic services, 2) behavioral services, 3) academic achievement, and 4) decreases in disciplinary incidences. A discussion of each of the four program areas follows.

Academic Services

The following statements summarize student and teacher offerings at the regional alternative education centers. A majority of the centers had students involved in the following academic services:

- working toward standard diplomas;
- receiving career and college counseling; and
- receiving individual tutoring

A majority of centers had teachers receiving training in reading enrichment and remedial teaching techniques.

Behavioral Services

The following statements summarize student and teacher behavior-related offerings at the regional alternative education centers. All centers were successful in reducing behavioral incidents, and any minor differences in programmatic offerings did not seem to impact results. A majority of centers had students who participated in:

- individual counseling;
- behavioral contracts;
- alcohol and drug prevention workshops;
- conflict resolution workshops;
- anger management workshops; and
- character development workshops.

A majority of centers had teachers who sent home monthly reports. Also, a majority had teachers who received training in:

- discipline;
- violence issues;
- conflict management; and
- alcohol and drug prevention.

Academic Achievement

The graphs in Appendix B represent academic performance of students attending the alternative centers compared with the regional means. Due to the difficulty in matching local student identification numbers to Standards of Learning (SOL) data, not all centers were compared. Overall, students who attended these centers tended to score below the regional mean of their counterparts in regular education settings in the region. However, the graphs show a majority of students are close to achieving the 400 scale score for proficiency on the Standards of Learning tests. Centers tended to exhibit more success at the high school level than at the middle school level, particularly in English where many exceeded the 400 scale score for proficiency. Data are not available to show the students' academic achievement scores prior to attending the centers.

Decreases in Disciplinary Incidents

Students who attended alternative education programs seemed to show substantial decreases in discipline, crime, and violence incidents. Noting the varying degrees to which schools report discipline and the low numbers in some of the centers, the following observations from the sampled students are described below.

➤ **Force and Violence**

Students who stayed at the center from 0-2 weeks showed a 54 percent drop in force- and violence-related incidents. This rate rose to an 89 percent drop for students attending from 3-6 weeks, then fell to 79 percent for those students attending from 7-12 weeks. One might speculate that tougher cases stayed longer than 6 weeks, but that 7-12 weeks was not quite long enough for these students. Effectiveness showed increases again at 13-24 weeks (83 percent) and over 24 weeks (100 percent).

Drop in Force and Violence-related Incidents					
Weeks in Program	0-2 weeks	3-6 weeks	7 to 12 weeks	13 to 24 weeks	Over 24 weeks
Drop in Incidences	54%↓	89%↓	79%↓	83%↓	100%↓

➤ **Offenses Against Property**

Students who stayed at the center from 0-2 weeks showed no drop in property-related incidents. This rate rose to a 100 percent drop for students attending from 3-6 weeks, then fell to 65 percent for those students attending from 7-12 weeks. One might speculate that tougher cases stayed longer than 6 weeks, but that 7-12 weeks was not quite long enough for these students. Effectiveness showed increases again at 13-24 weeks (76 percent) and over 24 weeks (100 percent).

Drop in Offenses Against Property					
Weeks in Program	0-2 weeks	3-6 weeks	7 to 12 weeks	13 to 24 weeks	Over 24 weeks
Drop in Incidences	0%	100%↓	65%↓	76%↓	100%↓

➤ **Other Policy Violations**

Students who stayed at the center from 0-2 weeks showed a 33 percent drop in other policy violations. This rate rose steadily – a 34 percent drop for students attending from 3-6 weeks, a 51 percent drop at 7-12 weeks, a 59 percent drop at 13-24 weeks, and an 82 percent drop over 24 weeks.

Drop in Other Policy Violations					
Weeks in Program	0-2 weeks	3-6 weeks	7 to 12 weeks	13 to 24 weeks	Over 24 weeks
Drop in Incidences	33%↓	34%↓	51%↓	59%↓	82%↓

➤ **Substance Abuse**

Students who stayed at the center from 0-2 weeks showed a 51 percent drop in substance abuse-related incidents. This rate rose to a 100 percent drop for students attending from 3-6 weeks and 7-12 weeks. The rate dropped to 77 percent and rose to 80 percent for those over 24 weeks.

Drop in Substance Abuse					
Weeks in Program	0-2 weeks	3-6 weeks	7 to 12 weeks	13 to 24 weeks	Over 24 weeks
Drop in Incidences	51%↓	100%↓	100%↓	77%↓	80%↓

➤ **Weapons Violations**

Students who stayed at the center from 0-2 weeks showed a 76 percent drop in substance weapons violations. This rate dropped to 0 percent for students attending from 3-6 weeks. It rose to 84 percent for students staying 7-12 weeks and 100 percent for students staying 13-24 weeks and over 24 weeks.

Drop in Weapons Violations					
Weeks in Program	0-2 weeks	3-6 weeks	7 to 12 weeks	13 to 24 weeks	Over 24 weeks
Drop in Incidences	76%↓	0%	84%↓	100%↓	100%↓

Measuring Program Effectiveness

Evaluating alternative education programs is a complex endeavor. In addition to serving different types of students in different locations, many regional alternative education programs have different policies and administrative procedures than those typically found in traditional K-12 schools. For example, some maintain hours and schedules that differ from regular schools, they have a variety of admission and exit policies, and they tailor instruction to the individual needs of the student. Some alternative education programs have connections to the world of work, and policies are tailored to meet those needs. As in regular education settings, alternative programs also vary in their academic standards, structure and accountability mechanisms, basic goals and objectives, parent and community involvement, disciplinary policies, and crisis intervention procedures.

In evaluating these centers, the accountability and outcome measures used for mainstream schools are not always as applicable. For example, using graduation from high school or completion of a degree is not relevant for an alternative education program that is mainly transitional in nature (e.g., aims to transition students back into regular schools or out of a special program such as juvenile detention or a treatment center). A majority of Virginia's regional programs are transitional in nature.

Alternative education accountability measures include shorter-term measures and measures that track continuous “added value” or recognize that many youth in the regional programs cycle in and out of a program before experiencing steady progress. Students are placed in the programs for relatively short periods of time—often a year or less—and traditional assessments often do not accurately reflect the progress the student has made in the program. Other performance outcomes include measures of student motivation, learning to learn, and ability to master content. The National Center for Educational Statistics confirms that few impact studies in this area have been conducted, specifically due to the vast differences in the programs and the difficulties confronted when collecting data.

Conclusion

In their eleventh year of operation, the regional alternative education programs continue to provide an alternative learning environment for identified disruptive students. The effectiveness of these programs can be demonstrated in the areas of discipline, crime, and violence incidences where there were substantial decreases. Standardized test scores indicate that students in these programs do not perform as well academically as their peers in regular education settings. Standards of Learning assessment scores collected on these students can provide a baseline for future evaluation studies. In the fall of 2003, the Virginia Department of Education began using unique student identification numbers for every student in the state. The identification numbers will be a valuable tool in the future in matching alternative students to Standards of Learning results and also to track behavior offenses.

Appendix A
Regional Alternative Education Projects
2003-2004

Fiscal agent school division listed first; identification number of program in parenthesis

Bristol City and Washington County (411)

Program Name: Crossroads Alternative Education Program

Focus: The program, located at two sites, serves up to 24 high-risk students in grades 7-12. Academic instruction, individual and group counseling, and a transition component are key elements. The program will help students become more self-directed learners, abstract thinkers, collaborative workers, and contributors to the community. The students will be provided instruction in technology.

Contact Person: Patty Bowers, director, Student Services/Special Education, Bristol City Public Schools, 222 Oak Street, Bristol, Virginia 24201

Contact Information: (276) 821-5632 e-mail: pbowers@bristolvaschools.org fax: (276) 821-5631

Brunswick, Greenville, and Mecklenburg Counties (414)

Program Name: Southside LINK

Focus: The day program has the potential to serve 60 expelled students in grades 8-12. Four teachers provide a non-traditional academic program offering English, mathematics, social studies, and career and technical education. Technology is integrated into the curriculum. Individual and group counseling services are available on a regular basis.

Contact Person: Donnie Clary, coordinator of vocational and special projects, Brunswick County Public Schools, 219 N. Main St., P. O. Box 309, Lawrenceville, Virginia 23868

Contact Information: (434) 848-6348 e-mail: donnie.clary@brun.k12.va.us fax: (434) 848-6375

Carroll County and Galax City (424)

Program Name: Carroll-Galax Regional Alternative Education Program (The Rae Center)

Focus: Two school systems have joined in a partnership with Joy Ranch, Inc., to establish an off-campus regional alternative education program for 45-50 students in grades 7-12. Innovative features include an integrated hands-on academic and vocational curriculum, cooperative learning, applied computer technology, mentoring, and career and self-esteem counseling.

Contact Person: Les Harvey, coordinator of alternative educational services, Carroll County Public Schools, 605-9 Pine Street, Hillsville, Virginia 24343

Contact Information: (276) 728-3191 e-mail: slharvey@ccpsd.k12.va.us fax : (276) 728-3195

Fairfax County and Alexandria City Schools (405)

Program Name: Transition Support Resource Center

Focus: Targeted middle and high students are provided with individualized and small-group instruction and support services for up to one semester. This year-round program is located at Bryant Alternative High School in Alexandria, with an additional site opening in Falls Church in September 2004. Staff and community resources are used to meet the needs of the students while at the program and to facilitate transition to the next school site. A maximum of 50 students can be served at any one time.

Contact Person: Joan Ledebur, coordinator, Interagency Alternative Schools, Fairfax County Public Schools, 2831 Graham Road, Falls Church, Virginia 22042

Contact Information: (703) 208-6406 e-mail: Joan.Ledebur@fcps.edu fax: (703) 208-8008

Fauquier and Rappahannock Counties (427)

Program Name: The Regional Continuum of Alternative Education Services

Focus: The objective is to reduce the number of youth who are at risk of expulsion, drop-out, or academic failure. The program offers a supportive learning environment to 90 students in grade 6-12. It promotes social and emotional skill development and identifies and resolves barriers to academic achievement and success in home and community settings. A school-within-a-school model serves the Rappahannock community, and the Fauquier community maintains a separate alternative school program. In conjunction with law enforcement, the juvenile justice system, community-service agencies, and service learning partnerships, the program seeks to include key stakeholders in the lives of students both at school and at home.

Contact Person: Craig Carscallen, principal, Southeastern Alternative School, Fauquier County Public Schools, 4484 Catlett Road, Midland, Virginia 22728

Contact Information: (540) 788-1054 e-mail: ccarscallen@fcps.org fax: (540) 788-1270

Fluvanna, Alleghany Highlands, Bath, Botetourt, Buchanan, Charles City, Clarke, Craig, Culpeper, Floyd, Franklin, Giles, Grayson, Greene, Halifax, Highland, Lancaster, Madison, Orange, Shenandoah, and Smyth Counties; Radford City (406)

Program Name: Project RETURN

Focus: Project RETURN was formed to assist school divisions in addressing the educational, social, and emotional needs of students who require an alternative educational program. Selected students from each locality receive instruction through the Project RETURN model. The model allows the locality to provide instruction at home or within the local alternative education center. Using the best in available software, the mentor teacher, in collaboration with the sending home school staff, develop an individualized academic program based on the student's ability level and the appropriate Virginia Standards of Learning. The ultimate goal is the student's successful transition into the regular academic setting. The program can involve up to 75 students in grades K-12.

Contact Person: Brenda Gilliam, regional director, Fluvanna County Public Schools, P. O. Box 419, Palmyra, Virginia 22963

Contact Information: (434) 589-8208 e-mail: bgilliam@mail.fluco.org fax: (434) 589-2248

Henry and Patrick Counties; Martinsville City (423)

Program Name: Breaking Barriers -- A Regional Alternative Education Program

Focus: The program focuses on the total student and addresses such issues as family problems, lack of motivation, peer pressures, academic, and legal troubles. It is designed to provide strong emphasis on behavior modification, teamwork, enhanced decision-making abilities, and work and study habits. Comprehensive counseling, job training, parent and community involvement are key elements of the program. Up to 29 high-risk youths, grades 6-12, can be accommodated.

Contact Person: Gracie Agnew, director of instruction, Henry County Public Schools, P. O. Box 8958, Collinsville, Virginia 24078

Contact Information: (276) 634-4700 e-mail: gagnew@henry.k12.va.us fax : (276) 634-4719

King William, Gloucester, Mathews, Middlesex, New Kent, Essex, and King and Queen Counties; Town of West Point (415)

Program Name: Middle Peninsula Regional Alternative Program

Focus: The program serves over 200 expelled or long-term suspended students with chronic behavior problems in grades 6-12. An after school program, operating four days per week, has been established at two sites. Program components include small-group instruction with individualized assistance. Strong emphasis is placed on reading, writing, and behavior modification. An extensive partnership between the school divisions, local businesses, and community-based organizations has been established.

Contact Person: Rick Walters, director of alternative education, King William County Schools, Hamilton Holmes Middle School, 18444 King William Rd., King William, Virginia 23086

Contact Information: (804) 769-3316, ext. 519 e-mail: rwalters@kwcps.k12.va.us fax: (804) 769-4520

Lynchburg City; Amherst, Appomattox, Bedford, and Nelson Counties (401)

Program Name: Regional Alternative Education Project

Focus: The program provides an alternative setting for up to 54 students in grades 6-12 at three locations. The key to the program consists of intervention strategies to change both academic and social behavior and collaboration among the schools, public agencies, and the juvenile judicial system. The goal is to move students from externally managed behavior to the internalized self-control for success in school. Staff use individualized and small group instruction, incorporating technology into all aspects of the program.

Contact Person: Paul McKendrick, deputy superintendent, Lynchburg City Public Schools, P. O. Box 1599, Lynchburg, Virginia 24505

Contact Information: (434) 522-3700, ext. 102 e-mail: mckenp@admin.lynchburg.org
fax: (434) 846-0723

Montgomery and Pulaski Counties (407)

Program Name: Alternative Education Program for Behaviorally Disturbed Youth

Focus: The Alternative Education Program for Behaviorally Disturbed Youth provides a comprehensive alternative education program for 590 middle and high school youths with behavioral disorders at three program sites: Wilson Avenue School, Blacksburg; the Phoenix Center, Christiansburg; and the Pulaski County Achievement Center located at Pulaski County High School. The Pulaski County Achievement Center and Wilson Avenue School are highly structured, therapeutic educational programs. The Phoenix Center provides an alternative to out-of-school suspension for Montgomery County middle and high school youths.

Contact Person: Judith Rutherford, director of student services, Montgomery County Public Schools, 200 Junkin Street, Christiansburg, Virginia 24073

Contact Information: (540) 381-6116 e-mail: jrutherford@mail.mcps.org fax: (540) 381-6127

Newport News and Hampton Cities (402)**Program Name:** Enterprise Academy**Focus:** The school offers a rigorous academic and intensive behavior modification program in a business setting for 185 long-term suspended and expelled students in grades 4-12. The program is based on a projects-oriented curriculum with computer use as an integral part of the instructional program. Students work in study teams to facilitate inquiry-based academic work. Conduct rules require students to conform to a strict dress code.**Contact Person:** Dr. Sadie Carter, director, Equity and Alternative Services, Newport News City Public Schools, 12465 Warwick Blvd., Newport News, Virginia 23606**Contact Information:** (757) 591-4540 e-mail: Sadie.Carter@nn.k12.va.us fax: (757) 596-0647**Norfolk, Chesapeake, Franklin, Portsmouth, Suffolk, and Virginia Beach Cities;
Isle of Wight and Southampton Counties (403)****Program Name:** Southeastern Cooperative Education Program**Focus:** The project is a consortium effort between eight school divisions for 252 targeted students in grades 6-12. The program employs licensed staff that provides instruction in English, mathematics, science and social studies. This instruction adheres to the Standards of Learning established by the Virginia Department of Education and is augmented by an emphasis on social skills and behavioral development. Special education services for identified students are provided. The program works closely with the parents, community services boards, juvenile and domestic relations courts, social services, and the police department in the coordination of services to the alternative education students.**Contact Person:** Dr. Judith Green, director, Southeastern Cooperative Educational Program, Circle East Building, 861 Glenrock Road, Norfolk, Virginia 23502**Contact Information:** (757) 892-6100 e-mail: jgreen@secep.k12.va.us fax: (757) 892-6111

Northampton and Accomack Counties (428)

Program Name: Project Renew

Focus: Located at two sites, the program accommodates up to 20 students in grades 6-12. Targeted are skills associated with goal setting, conflict and peer mediation, parental involvement, decision-making, counseling, and violence and safety education. The program seeks to enhance the employability of students and give them the opportunity to participate in business partnerships and job training. The goals are to transition students for re-entry into the school and entry into the world of work.

Contact Person: Dr. David van de Graaff, principal, TECH Center/Alternative Education, Northampton County Schools, P. O. Box 360, Machipongo, Virginia 23405

Contact Information: (757) 678-8004 e-mail: dvandegraaff@ncps.k12.va.us fax: (757) 678-7587

Nottoway, Amelia, Buckingham, Charlotte, Cumberland, Lunenburg and Prince Edward Counties (420)

Program Name: On the Right Track Regional Alternative Education Program

Focus: The program, located at the Southside Skills Center in Nottoway, provides an alternative setting for up to 77 students, ages 15 or older. Main objectives of the program are to increase opportunities for each student for academic success through educational interventions and teaching methods; assess students vocationally and match them with a vocation area; empower the student through consistent behavior management; provide conflict resolution strategies; and create opportunities for team building.

Contact Person: Michelle Wallace, director of grants and staff development, Nottoway County Public Schools, P. O. Box 47, Nottoway, Virginia 23955

Contact Information: (434) 645-9596 e-mail: mwallacegsd@yahoo.com fax: (434) 645-1266

**Petersburg, Colonial Heights, Hopewell Cities; Dinwiddie, Prince George, and Sussex Counties
(408)**

Program Name: Bermuda Run Education Center Regional Alternative Program

Focus: The school systems have contracted with a private-sector company, Specialized Youth Services of Virginia, Inc., to establish a regional alternative education program that accentuates opportunities for academic success and development of interaction skills. A "whole person" approach, addressing behavioral, cognitive, emotional, physical, familial, and social skills, is used to meet the development of each pupil. Employment training skills are integrated into the program, and job placement assistance is available for students of appropriate age and readiness level. The program can accommodate 28 pupils, grades 6-12.

Contact Person: Warren Bull, director, Specialized Youth Services of Virginia, Inc., 230 S. Crater Road, Petersburg, Virginia 23803

Contact Information: (804) 733-2180 e-mail: blandmanor@aol.com fax: (804) 733-8502

Pittsylvania County and Danville City (409)

Program Name: Pittsylvania County/Danville City Regional Alternative School

Focus: This program accommodates up to 36 students in grades 8-12. It operates on the grounds of the Pittsylvania County Vocational Technical Center in Chatham, Virginia, from 8:30 a.m. to 3 p.m. The program includes instruction in the following areas: academics, pre-employment and work maturity skills, and social life skills. Students learn responsibility in an alternative setting that focuses on citizenship with its basic rights and responsibilities. Community and parental involvement plays a strong role in the program.

Contact Person: Raymond Ramsey, director, Pittsylvania County Public Schools, 200-A Blairs Middle School Circle, Blairs, Virginia 24527

Contact Information: (434) 836-2900 e-mail: rramsey@pcs.k12.va.us fax: (434) 836-8913

Powhatan, Goochland, and Louisa Counties (410)

Program Name: Project Return Regional Alternative Education Program

Focus: Existing alternative programs in the three school divisions have been expanded to work with expelled and suspended students or those in the stages before referral for long-term suspension or expulsion. These programs serve a potential of 50 high-risk students in grades K-12. Each program offers a different instructional approach. One program offers intense differentiated instruction and an after-school program; the second offers an after-school program; and the third program provides home instruction or Saturday school. The outcome for all three programs is for students to progress satisfactory and be able to re-enter the regular school program, or obtain a GED, or certificate of completion from the alternative education program.

Contact Person: Randy Watts, director of pupil personnel services, Powhatan County Schools, 2320 Skaggs Road, Powhatan, Virginia 23139

Contact Information: (804) 598-5700 e-mail: randy.watts@powhatan.k12.va.us fax: (804) 598-5705

Prince William County; Manassas, and Manassas Park Cities (416)

Program Name: New Dominion Alternative School

Focus: A community-based program serving 120 students in grades 6 through 8, the program provides innovative instruction in an alternative format. Students receive individually prescribed instruction based on a needs assessment. In addition to addressing academic needs, the program also focuses on social skill development. The school encourages participation in community service through the Learn and Serve program. The 6th and 7th grade classes are modeled after the self-contained classroom with the emphasis on the core classes. The 8th grade program is called the pre-high school program, and students change classes each period to help them prepare for high school schedules. The involvement of family and community members continues to be an integral part of the program.

Contact Person: Dave Hoge, assistant principal, New Dominion School, Prince William County Schools, 8220 Conner Drive, Manassas, Virginia 22110

Contact Information: (703) 361-9808 e-mail: hogedp@pwcs.edu fax : (703) 392-3832

Richmond City; Hanover and Henrico Counties (412)

Program Name: Metro-Richmond Alternative Education Program

Focus: The participating school divisions have established a regional alternative education program serving 38 students in grades 6-12. The instructional staff and facility are located at St. Joseph's Villa, a local private educational agency in Richmond. The goals of the program are to improve deficient academic skills, help students with positive decision-making and social skills, improve educational progress, and positively engage the students with the community.

Contact Person: Marcia Hathaway, director of pupil personnel, Richmond City Schools, 301 N. Ninth St., Richmond, Virginia 23219

Contact Information: (804) 780-7811 e-mail: mhathawa@richmond.k12.va.us fax: (804) 780-5175

Roanoke and Salem Cities (404)

Program Name: Roanoke/Salem Regional

Focus: The project focuses on the total student and includes the following components: curriculum content, teaching techniques, computer integration, counseling programs, parental participation, staff development, and evaluation. A major goal of the program is that students will not commit new acts of misconduct during or following exit from the program. Students who are academically delayed have the opportunity to participate in an accelerated academic program. Achievement in academics and behavior are required for students to return to their home schools. A community service component permits students to improve social development. Two hundred high-risk youths in grades 7-12 and the General Education Development (GED) program can be placed in the program.

Contact Person: Archie Freeman, interim principal, Noel C. Taylor Learning Academy, Roanoke City Public Schools, 3601 Thirlane Rd., NW, Roanoke, Virginia 24019

Contact Information: (540) 853-1461 e-mail: afreeman@roanoke.k12.va.us fax: (540) 853-1216

Roanoke and Bedford Counties (430)

Program Name: R. E. Cook Regional Alternative School

Focus: The school considers the uniqueness of every student and provides an alternative setting for up to 40 students ranging in grades 3-7 and 8-12. The regional program allows students who have difficulty maintaining appropriate behavior in a regular school setting to continue to earn credits leading to a high school diploma or to complete the GED testing program and to gain work place skills. Staff uses individualized and small group instruction, incorporating technology into the program, as well as letting the students help with community service projects. The program also offers the services of a guidance counselor/student assistant program counselor to help the students with any school or home conflict. Staff is committed to helping the whole individual become the best that they can possibly be while in the program. The program operates Monday through Thursday 8:30-2:00 and Friday from 8:30-12:00. Friday afternoons are used by staff to plan conferences with parents and plan academic objectives for students.

Contact Person: Dr. Lorraine Lange, assistant superintendent of instruction, Roanoke County Public Schools, 5937 Cove Road, Roanoke, Virginia 24019

Contact Information: (540) 562-3900 ext. 131 e-mail: llange@rcs.k12.va.us fax: (540) 562-3994

Russell and Tazewell Counties (417)

Program Name: PROJECT BRIDGE

Focus: The program serves a potential of 150 high-risk students in grades 6 through 12. The program provides a variety of teaching and learning methods to meet the needs of students so they can maintain scholastic achievement to proceed toward a high school diploma or a GED certificate. School facilities are used except in instances where it is necessary to separate students and instruct them at home. The day program, an after-school program, and Saturday school are all options in creating a successful program.

Contact Person: Lynn Ramsey, administrator of alternative programs, Russell County Public Schools, P. O. Box 8, Lebanon, Virginia 24266

Contact Information: (276) 889-6519 e-mail: mlhramsey@yahoo.com fax: (276) 889-6527

Scott and Lee Counties (429)

Program Name: Renaissance Program

Focus: Located at two sites, the program accommodates up to 53 students in an after-school program in Lee County and 30 students in the day program in Scott County. Serving high-risk pupils in grades 7-12, students are offered a combination of academic activities and vocational training. An Individual Education Plan (IEP) is developed for each student upon entrance into the program. Computer-assisted instruction augments both the academic and vocational components of the program. The program involves parents and community agencies.

Contact Person: Darryl Johnson, director of operations, Scott County Public Schools, 261 E. Jackson St., Gate City, Virginia 24251

Contact Information: (276) 386-6118 e-mail: personnel@scott.k12.va.us fax: (276) 386-2684

Stafford, Caroline, King George, and Spotsylvania Counties; Fredericksburg City (413)

Program Name: The Regional Alternative Education Program

Focus: The school divisions in Planning District 16 have created a regional program at an off-school site so that suspended and expelled students can be offered educational services and will not be at-large and unsupervised during the school day. A counseling component is an important part of the program that also includes community outreach and involvement. A vast majority of students take core academic courses to meet SOL and graduation requirements. In addition an ISAEP/GED component is available for students aged 16 and 17 who meet appropriate entrance requirements. The program can serve approximately 160 in grades 9-12 during the course of the school year. Students may choose to enroll after referral, a mandatory family intake meeting, and signature denoting they will follow rules and the closely monitored curriculum.

Contact Person: Dr. Andrea Bengier, assistant superintendent, Stafford County Public Schools, 31 Stafford Ave., Stafford, Virginia 22554

Contact Information: (540) 658-6667 e-mail: abengier@staffordschools.net fax : (540) 658-6061

Staunton, Harrisonburg, and Waynesboro Cities; Augusta County (422)

Program Name: Genesis Alternative School

Focus: The project offers a regional off-site alternative program for up to 93 targeted students in grades 6-12. The program works to help students develop attitudes and work habits required for academic and work success, to improve achievement and attendance, to reduce the incidence of school board policy violations, and to empower the students with skills to manage conflict in acceptable ways.

Contact Person: Dr. Sue Burkholder, program director and principal, Genesis Alternative School, 2076 Jefferson Highway, Fishersville, Virginia 22939

Contact Information: (540) 887-8143; (540) 949-0711 e-mail: sburkhol@staunton.k12.va.us
fax: (540) 949-7424

Westmoreland, Northumberland, and Richmond Counties, Town of Colonial Beach (421)

Program Name: Northern Neck Regional Alternative Education Program

Focus: The program is designed for 36 students in grades 6 through 12 and establishes options for students who have been suspended or expelled. An accelerated, individualized instructional program, offering a small pupil teacher ratio, is a key element of the program that is housed at the Northern Neck Regional Vocational Center. Goals include preparing students to return to the traditional school setting, promoting the development of self-esteem, personal and community responsibility, and family involvement.

Contact Person: Randy Long, project director and principal, Northern Neck Regional Alternative Education Program, P. O. Box 787, Warsaw, Virginia 22572

Contact Information: (804) 333-4940 e-mail: hrlong70@aol.com fax: (804) 333-0538

Wise and Dickenson Counties; Norton City (426)**Program Name:** Regional Learning Academy

Focus: The program provides effective intervention for violent and disruptive youth enrolled in the region. A personalized education program, responsive to the needs of students, includes: an indoor/outdoor skills adventure program, an electronic interactive program that extends to remote sites, a self-contained highly structured learning environment, an enriched education option for students demonstrating personal, social, and academic growth, and an option for students who are not diploma candidates. The program works in conjunction with several youth-oriented agencies as well as court services to provide the most appropriate educational and behavioral plan for each student. The program serves approximately 70 students in grades 7-12.

Contact Person: Ed Conley, principal, Regional Learning Academy, Wise County Public Schools, 515 Hurricane Rd., Wise, Virginia 24293

Contact Information: (276) 328-8612 e-mail: econley@wis.12.va.us fax: (276) 328-4456

Wythe and Bland Counties (418)**Program Name:** Wythe/Bland Alternative Education Program

Focus: An off-campus alternative education program has been established in a non-traditional school setting, characterized by a low teacher-pupil ratio, diploma alternatives, and a high expectation academic program with a strong vocational component. The program can accommodate 25 students in grades 9 through 12.

Contact Person: Joseph H. Bean, assistant superintendent for instruction, Wythe County Public Schools, 1570 W. Reservoir Street, Wytheville, Virginia 24382

Contact Information: (276) 228-5411 e-mail: jbean@wythe.k12.va.us fax: (276) 228-9192

York and Williamsburg/James City Counties; City of Poquoson (419)

Program Name: Three Rivers Project-Enterprise Academy

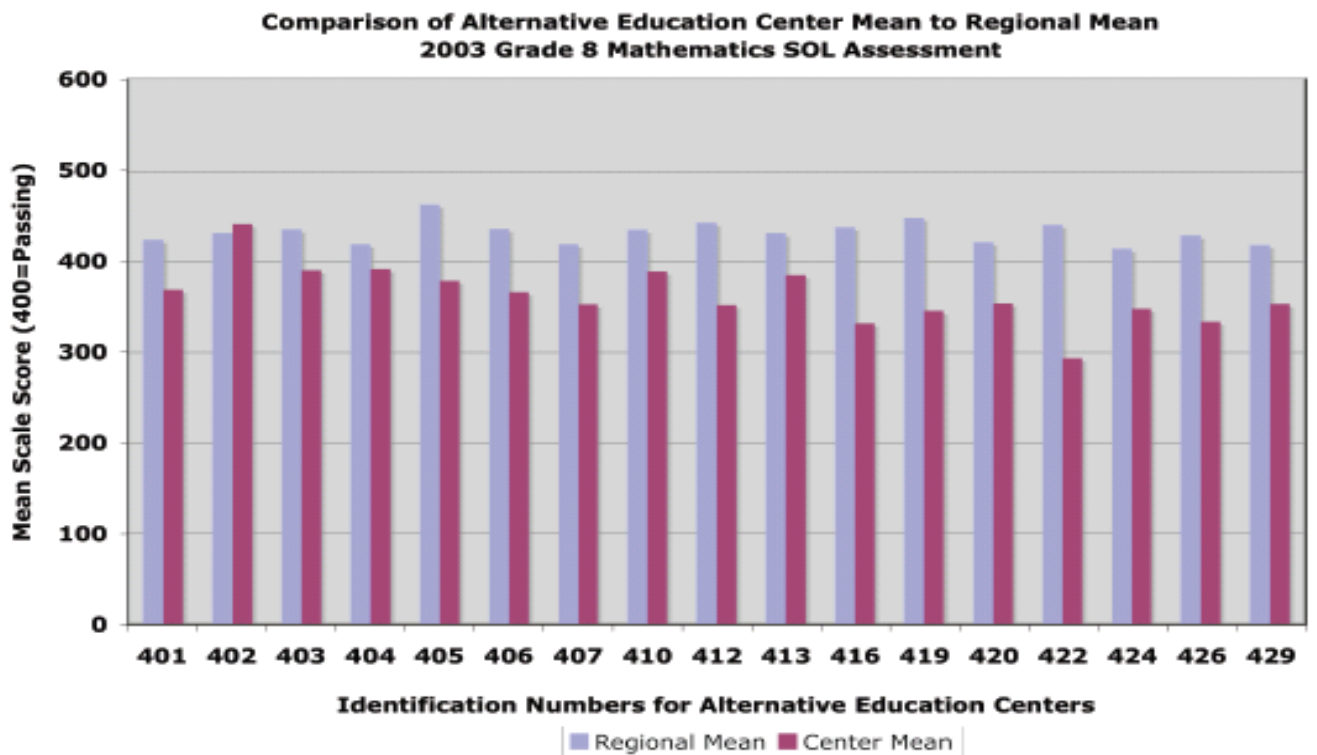
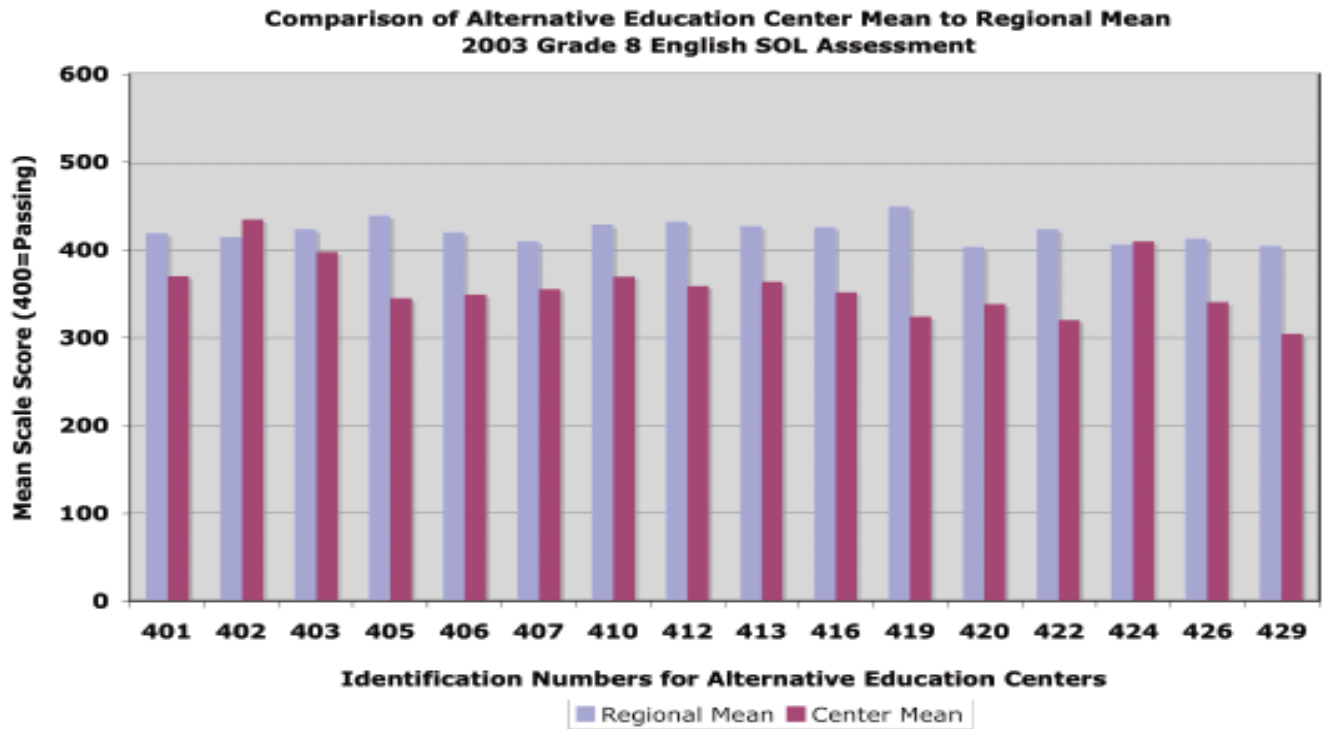
Focus: The program builds upon and expands the goals of the Newport News and Hampton Enterprise Academy Alternative Education Program. Established at a second site and housed in an office building, the program is a school for students in grades 6-12. It offers a rigorous academic program that can accommodate up to 46 students during the year. The program is based on a projects-oriented curriculum with computer use as an integral part of the instructional program.

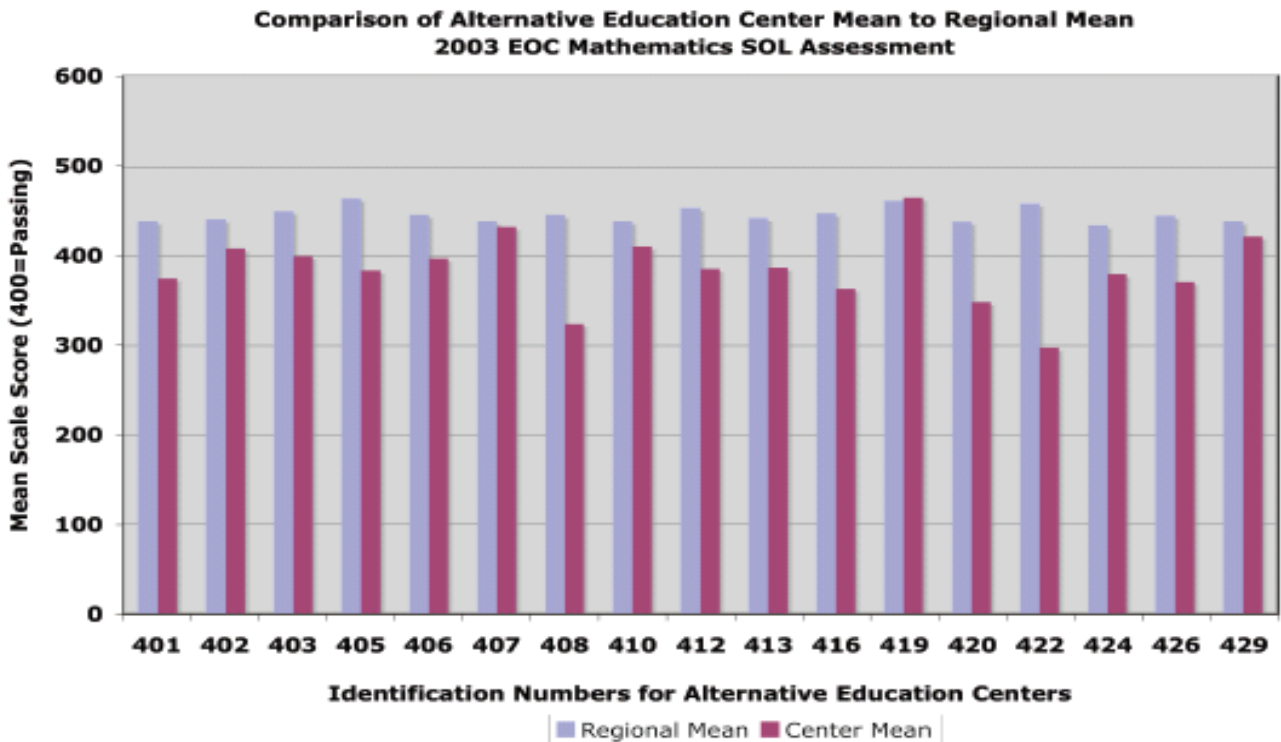
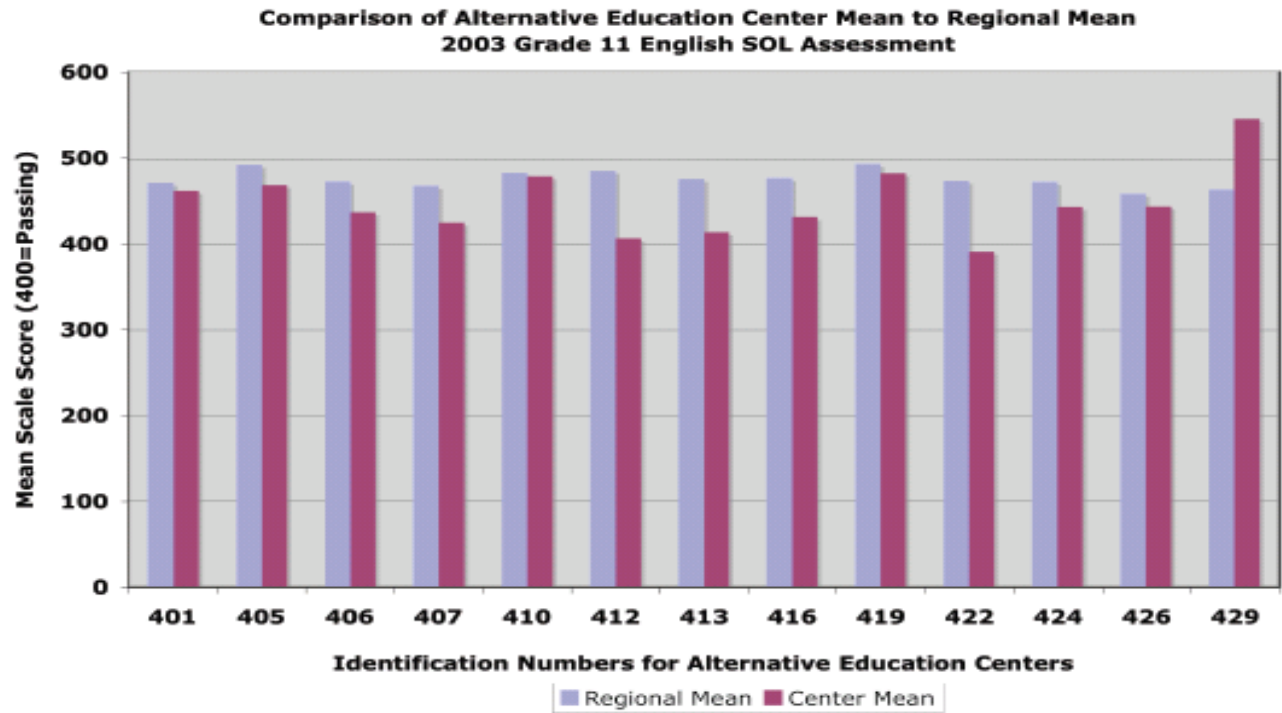
Contact Person: Dr. Kendra Crump, instructional specialist for school administration, York County Public Schools, 302 Dare Rd., Yorktown, Virginia 23692

Contact Information: (757) 898-0468 e-mail: kcrump@ycsd.york.va.us fax: (757) 890-0771

Appendix B

**Academic Performance of Students
Attending the Alternative Centers Compared with the Regional Means**





Board of Education Agenda Item

Item: _____ P. _____

Date: _____ October 28, 2004 _____

Topic: First Review of the 2004 Annual Report on Public Charter Schools in the Commonwealth of Virginia

Presenter: Ms. Diane L. Jay, Specialist, Office of Program Administration and Accountability

Telephone Number: (804) 225-2905

E-Mail Address: djay@mail.vak12ed.edu

Origin:

_____ Topic presented for information only (no board action required)

X Board review required by

X State or federal law or regulation

_____ Board of Education regulation

_____ Other: _____

X Action requested at this meeting _____ Action requested at future meeting

Previous Review/Action:

X No previous board review/action

_____ Previous review/action

date _____

action _____

Background Information: Section 22.1-212.11 of the *Code of Virginia*, as amended, requires local school boards to report the number of public charter school applications that were approved and denied to the Virginia Board of Education on an annual basis. Section 22.1-212.15 requires local school boards to submit annual evaluations of any public charter school to the state Board of Education. The legislation stipulates that the board report its findings annually to the Governor and the General Assembly. The Department of Education collected information on the number of charter school applications approved and denied by local school boards through a Superintendent's Memorandum dated July 9, 2004. Additional information was collected through an annual evaluation report submitted for 2003-2004 by each of the public charter schools operating in the state.

Summary of Major Elements: The attached annual report contains the results of those data collections and an external evaluation of the public charter schools in Virginia. Since the initial state legislation for charter schools was passed in 1998, eight charter schools in eight school divisions have been approved. Seven of these schools continued to operate during the 2003-2004 school year. The eighth charter school in Franklin County closed in fall 2003. Information collected from school division

superintendents in July 2004 revealed that no new charter school applications were approved during 2003-2004. Three charter school applications submitted during 2003-2004 were denied in three school divisions.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education waive first review and approve the 2004 Annual Report on Charter Schools in Virginia pursuant to §22.1-212.15, *Code of Virginia*.

Impact on Resources: The provisions of this item may require the Department of Education to employ an external evaluator to annually assess the status of charter schools in Virginia. This impact can be absorbed within the existing resources at this time.

Timetable for Further Review/Action: Following approval, the report will be forwarded to the Governor and the General Assembly as required by §22.1-212.15, *Code of Virginia*.



VIRGINIA BOARD OF EDUCATION

2004 Annual Report

PUBLIC CHARTER SCHOOLS IN THE COMMONWEALTH OF VIRGINIA

PRESENTED TO

**THE HONORABLE MARK R. WARNER
GOVERNOR OF VIRGINIA
AND
THE GENERAL ASSEMBLY**

October 28, 2004

VIRGINIA BOARD OF EDUCATION

PREFACE

Section 22.1-212.11 of the *Code of Virginia*, as amended, requires local school boards to report annually to the Virginia Board of Education the status of public charter schools. Based on these compliance and performance criteria and other evaluation considerations, the objectives of the evaluation are as follows:

- Evaluate charter schools' compliance with the goals and provisions dictated by their charter application.
- Evaluate charter schools' progress in achieving the goals as delineated in their charter.
- Evaluate the performance of charter school students versus the performance of other public school populations.
- Evaluate the impact of charter school's activities in terms of contribution to the community and education system, in general.

The staff member assigned to the preparation of the report was Diane L. Jay, Specialist, Office of Program Administration and Accountability, Division of Instruction, Virginia Department of Education, P. O. Box 2120, Richmond, Virginia 23218-2120. Questions concerning the report should be directed to Ms. Jay at (804) 225-2905 or by e-mail at djay@mail.vak12ed.edu.

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EXECUTIVE SUMMARY

The external evaluation of the public charter schools of Virginia examines the seven public charter schools in operation in the state during the 2003-2004 school year. Research Dimensions, Inc., conducted the evaluation for the Virginia Department of Education. All seven schools are designed to provide alternative and experiential learning opportunities for students who are at-risk. However, differences among these schools include: the histories of the schools, characteristics of the communities served, characteristics of the students enrolled, size of the student bodies, grade levels served, resources available, and educational approaches and priorities.

Key Observations and Findings

- Schools. The enrollment for all seven charter schools was 745 students as of June 2004. The majority of these students, over 90 percent, were in grades 9 through 12. No new charter schools were approved during the 2003-2004 school year. During this timeframe, three new charter school applications were denied. Two of the seven schools included in this report have ceased operating in 2004-2005.
- Staff. The schools reported a total of approximately 100 staff members including principals, teachers, paraprofessionals, and guidance counselors. The average student-to-teacher ratio was ten students for every one teacher. All principals and close to 90 percent of all teacher positions were filled by licensed and endorsed individuals.
- Charter Compliance. A review of the evidence provided supported the charter schools' belief that they are all in compliance with the provisions of their charters. All applicant school divisions reported a high level of support from both state and local officials in expediting the charter school process.
- Progress in Achieving Goals. Standards of Learning (SOL) test data provide results that suggest improved student academic performance. Charter school student dropout rates are higher than those in traditional schools. Additionally, reports suggest that while dropout rates are higher, the expected failure or dropout rates of these students in traditional schools may have been much higher prior to transitioning to charter schools. Some schools report high graduation and completion rates, and most report improved student academic performance.
- Student Performance. None of the schools report having conducted a comprehensive comparison of the performance of their students and the students in the traditional schools in their division. Similarly, none of the schools reported longitudinal analysis of year-to-year improvement on a student-by-student basis.
- Impact on the Community. Schools report programs to build students' sense of responsibility, character, planning, community, and other personal growth goals. The perceptions of the schools, community awards, other forms of recognition, and parental surveys suggest significant success in these efforts. Available information suggests that the small size, individualized instruction, and innovative approaches to education found in these schools have had a positive impact on the communities they serve.

Chapter One

Purpose

This report provides the results of an external evaluation of the public charter schools of Virginia conducted for the Virginia Department of Education (VDOE) by Research Dimensions, Inc. The evaluation examined the seven public charter schools in operation in Virginia during the 2003-2004 school year. All of these schools serve at-risk students.

Objectives and Scope of Evaluation

The goals of the seven charter schools included in this evaluation are similar in that they are all designed to provide alternative and experiential learning opportunities for students who are at-risk. While there are similarities in terms of the general goal, there are also significant differences among these schools in terms of the:

- histories of the schools
- characteristics of the communities served
- characteristics of the students enrolled
- size of the student bodies
- grade levels served
- resources available and
- educational approaches and priorities

A. Summary Report

The Summary Report focuses on evaluation considerations applicable for all charter schools in the commonwealth. Section 22.1-212.11 of the *Code of Virginia*, as amended, requires local school boards to report annually to the Virginia Board of Education the status of public charter schools. Various sections of this code delineate compliance and performance criteria. In that context, the objectives of this external evaluation are as follows:

1. Evaluate charter schools' compliance with the goals and provisions dictated by their charter applications.
2. Evaluate charter schools' progress in achieving the goals as delineated in their charter.
3. Evaluate the performance of charter school students versus the performance of other public school populations.
4. Evaluate the impact of charter schools' activities in terms of contribution to the community and education system, in general.

B. School-Specific Attachments

Dissimilarities in the characteristics of the seven schools, in the data provided by each school, and in the availability of comparable data, limit the potential depth of analysis and even the ability to provide comparable reporting of *charter school performance* at the summary report level. These dissimilarities also preclude capturing in the summary report many of the unique characteristics and accomplishments of the individual schools. Consequently, an attachment is provided for each of the seven individual charter schools evaluated. Each attachment includes school-specific information, to the extent available and appropriate, for the same evaluation areas considered in the summary report.

C. Sources

The observations and findings in both the summary report and the attachments are primarily based on the following sources:

- Information collected by the VDOE on the number of charter school applications approved and denied by local school boards through Superintendent's Memorandum, Number 33, Administrative, dated July 9, 2004.
- Information collected by VDOE through an annual evaluation report and the supplemental information provided with these reports. These reports were submitted to VDOE in September 2004 for the 2003-2004 school year by the school divisions in which the seven public charter schools operated during that period.
- Internal VDOE data for comparison of charter school and traditional school student performance.

D. Report Structure

The following sections of this summary report address:

- background information related to the *Code of Virginia* as it applies to charter schools and summary data related to the charter schools, waivers, staff, and associated funding (Section III);
- charter schools' charter compliance (Section IV); and
- charter schools' progress towards their goals as related to student performance and the resulting educational and community impact (Section V).

Chapter Two

Background and Summary Information

This section provides general information addressed in the *Code of Virginia* as it applies to charter schools. General information profiling Virginia's charter schools and related waivers, staffs, and funding is presented.

A. *Code of Virginia* as Applied to Charter Schools

As delineated in the *Code of Virginia* (§ 22.1-212.5), public charter schools in Virginia are nonsectarian, nonreligious, or non-home-based alternative schools located within a public school division intended to:

- stimulate the development of innovative educational programs
- provide opportunities for innovative instruction and assessment
- provide parents and students with more options within their school divisions
- provide teachers with a vehicle for establishing schools with alternative innovative instruction and school scheduling, management, and structure
- encourage the use of performance-based educational programs
- establish and maintain high standards for both teachers and administrators and
- develop models for replication in other public schools

The 2004 session of the Virginia General Assembly created several amendments to previous statutes governing public charter schools. Some of these amendments involved minor wording changes or financial issues not within the scope of this evaluation. The other amendments pertinent to this evaluation are listed below:

§ 22.1-212.8. [Charter application] Subsection C. *The charter applicant shall include in the proposal agreement the results of any Board of Education review of the public charter school application that may have been conducted as provided in subsection D of § 22.1-212.9*

§ 22.1-212.9. [Review of public charter school application] Subsection C. *The public charter school applicant may submit its proposed charter application to the Board of Education for review and comment. The Board's review shall examine such applications for feasibility, curriculum, financial soundness, and objective criteria as the Board may establish, consistent with existing state law. The Board's review and comment shall be for the purpose of ensuring that the application conforms with such criteria, but shall not include consideration as to whether the application shall be approved by the local school board.*

§ 22.1-212.11. [Public charter school restrictions] Subsection A. *In establishing public charter schools within the division, local school boards shall give priority to public charter school applications designed to increase the educational opportunities of at-risk students particularly those at-risk students currently served by schools that have not achieved full accreditation.*

§ 22.1-212.11. [Public charter school restrictions] Subsection B. *Local school boards shall report the grant or denial of public charter school applications to the Board, the number of charters granted or denied, and the reasons for any such denials; and whether a public charter school is designed to increase educational opportunities of at-risk students or any students served by schools that have not achieved full accreditation.*

§ 22.1-212.12. [Public charter school term; renewals and revocations] Subsection A. *A charter may be approved or renewed for a period not to exceed five years. A public charter school renewal application submitted to the local school board or, in the case of a regional public charter school, to the relevant school boards shall contain:*

1. *A report on the progress of the public charter school in achieving the goals, objectives, program and performance standards for students, and such other conditions and terms as the school board or boards may require upon granting initial approval of the charter application.*
2. *A financial statement, or forms prescribed by the Board, that discloses the costs of administration, instruction, and other spending categories for the public charter school and that has been concisely and clearly written to enable the school board or boards and the public to compare such costs to those of other schools or comparable organizations.*

B. Schools

Since the initial state legislation for charter schools was passed in 1998, eight charter schools in eight school divisions have been approved. Seven of these schools continued to operate during the 2003-2004 school year. The eighth charter school, New Opportunities for Winning in Franklin County, reported closing in the fall of 2003 because of insufficient funds to continue operations. Beginning with 2004-2005, two additional schools have closed for reasons related to lack of funds. These are New Directions Academy in Greene County and Victory Academy in Gloucester County.

Most of these schools have operated as charter schools for two to three years. They serve a variety of grade levels and are relatively small, i.e., on average, about 100 students each. There were a total of 745 students enrolled as of June 2004 in grades 3 through 12 in all seven charter schools. The majority of these students, over 90 percent, were in grades 9 through 12. The number of students enrolled in charter schools increased from 685 in 2002-2003. Table 1 below provides summary information about the seven schools evaluated in this report.

Table 1.
Virginia Public Charter Schools – 2003-2004

Division	School	Year Opened	Grades Served	Enrollment (as of June 2004)
Albemarle County	Murray High School	2001	9-12	98
Chesterfield County	Chesterfield Community High	2002	9-12	298
Gloucester County	Victory Academy	1999	7-8	42
Greene County	New Directions Academy	2001	6-12	24
Hampton City	Hampton Harbour Academy	2001	3-12	159
Roanoke City	Blue Ridge Technical Academy	2001	9-12	85
York County	York River Academy	2002	9-10	39

No new charter schools were approved during the 2003-2004 period, but the following three charter school applications were submitted to three different school divisions and all were denied.

- Fairfax County – Pace School (charter school for children with autism) was denied because it was operationally unfeasible within funding available.
- Prince William County – Prince William Linguistics Academy was denied because there were unresolved legal issues, and the applicant had limited experience in providing instructional services and programs for limited English speaking and economically disadvantaged students.

- Norfolk City – Norfolk Academy for Science and Technology was denied due to lack of financial structure and substandard quality of the curriculum.

C. Waivers

Based on information collected in response to Superintendent's Memorandum, Number 33, Administrative, dated July 9, 2004, and the annual evaluation report in September 2004, no waivers were requested by any of the seven operating Virginia public charter schools during the 2003-2004 school year.

D. Staff

The total numbers of administrators, teachers, paraprofessionals, and guidance counselors in the seven charter schools are shown in terms of full-time equivalents (FTEs) in Table 2 below. In addition to these staff members, several schools employ other personnel such as exceptional education teachers, security officers, nurses, clinic aides, tutors, monitors, parent involvement facilitators, and adjunct teachers. Data are presented for total staff as well as for totals and percentages of those positions filled by licensed and endorsed individuals.

Table 2.
Summary of Charter School Staffing

Category	Total Number of Staff (FTEs)	Positions Filled by Licensed and Endorsed Individuals (FTEs)	Percent Filled by Licensed and Endorsed Individuals
Principal/Director	8.0	8.0	100.0%
Teachers	74.4	66.4	89.2%
Paraprofessionals	12.3	7.0	56.8%
Guidance Counselors	7.5	5.5	73.3%
Totals	102.2	86.9	85.0%

All administrator positions, and over 90 percent of all of the administrator and teacher positions, were filled by licensed and endorsed individuals. The average student-to-teacher ratio for all schools was ten students for every teacher.

In this year's annual evaluation report, data were collected for several professional development areas. More detailed descriptions of professional development programs provided in the charter schools are included in the attachments for each school. In general, the responses related to charter school staff professional development indicated that:

- a wide variety of professional development programs were provided
- most professional development programs were customized for charter school personnel
- the number of professional development programs provided varied widely by school ranging from only a few to a dozen or more
- all schools reported that there was very little communication between their school and other charter schools in Virginia and

- only one school, York River Academy, sent representatives to one or more national charter schools meetings

E. Funding

Funding data were incomplete and have not been reconciled in terms of consistency of reporting among schools. However, the data that are available suggest that about:

- 70 percent of the funds were from local sources
- 20 percent of the funds were from state funds and
- 10 percent of the funds were provided by federal and private sources

Chapter Three

Review of School Charters and Charter Compliance

The charters of seven Virginia public charter schools addressed by this report have a wide variety of goals, objectives, program and performance standards for students, and other conditions and terms as dictated by their the school boards. However, they all serve at-risk students, have many similar core objectives, and all state they have made progress towards their charter goals.

A. Process

All applicant school divisions reported a high level of support from both state and local officials in expediting the charter school application process. Further, all applicants stated that the proposal submitted and approved reflected an innovative approach in addressing the educational needs of an at-risk population of students.

The schools reviewed reported that the challenge of adequate funding served as the greatest limitation both during the application process as well as throughout the implementation period. The charter school that closed last year and two schools included in this report that have subsequently closed all attributed lack of sufficient funding as the primary reason for discontinuing.

B. Compliance with the Charter

Section § 22.1-212.12 of the *Code of Virginia* requires each charter school to evaluate annually its compliance with the goals and provisions dictated by their charter application. Further, the code requires an evaluation of each charter school's progress in achieving the goals as delineated in their charter.

The basic purposes of the seven charter school divisions are more similar than dissimilar. Phrases such as *intensive academic assistance, sharpened identification of career goals, reinforced academic environment, customized supportive services, alternative delivery models, individualized academic and personal growth plans, service learning, experimental learning, mastery learning, mentorship initiative, and extensive parental involvement* were consistent themes used within the charter proposals. Further, all applicants set objectives: 1) an increase in the graduation rate if secondary students were included; 2) a decrease in the drop out rate; 3) an overall improvement in student achievement; and 4) increased parental participation.

The approaches of the charter schools applicants varied widely in determining their success in meeting the objectives of their applications. Reporting ranged from measurements against a predetermined standard to anecdotal perceptions of success.

Most charter school reports included limited comparative assessments (qualitative and/or quantitative) of student achievement prior to attending a charter school versus their achievement during and after the charter school experience. Anecdotal responses suggested improvements as reported by students, school personnel, and parents.

Nearly all charter schools reported implementation obstacles with new applicants reporting the most obstacles. Most applicants reported the challenges of resource limitations, particularly with start up monies. Several reported that starting a new charter school was an exhausting yet exhilarating experience. In opening mission statements, many of the schools reported that the charter movement placed a strong emphasis on autonomy and accountability.

It was further evident that Virginia's charter schools have been shaped, not only by those establishing the school, but also by the legislation that established the parameters. Each charter applicant responding to the 2003-2004 annual evaluation report indicated that it had begun with the underlying assumption that the charter concept was an invitation to establish a school that would be considered a center of innovation free from the mandates of traditional government. All respondents also reported that they considered this objective to have been met.

C. Overall Assessment

The charter schools report that they are all in compliance with the provisions of their charters. This review of the evidence provided supported their perceptions.

Chapter Four

Evaluation of Charter School Student Performance and Impact

The public charter school population is not a representative subset of the traditional school student population. As previously noted, the seven public charter schools evaluated focus on increasing educational opportunities and providing alternative educational programs for students at risk of academic failure. Many of the students, particularly older students enrolled in high school programs, were in danger of dropping out of school prior to attending the charter schools. Poor attendance, past academic failure, and other risk factors create many challenges for the schools in raising the academic achievement level of these students.

In spite of the challenges, some progress has been demonstrated and reported in terms of improving academic achievement, average daily attendance, parental and community involvement, and a decrease in dropouts. However, as addressed in subsequent sections, the quantitative results that support this trend in achievement vary from year to year and among schools. Anecdotal research and responses provided in the Virginia annual evaluation report suggest that both parents and students report significant improvement.

A. Student Achievement

Measuring student achievement for the charter school student population presents many challenges. The charter school student populations are small and lack continuity from year-to-year. Ideally, student achievement should be described using both quantitative and qualitative metrics of improvement in areas such as academic performance; graduation and completion rates; communication skills; attitude; behavior; and discipline. However, consistent data, particularly quantitative data of this type and the resources needed to produce and analyze these data have not been collected.

1. Quantitative Measures of Achievement. Standards of Learning (SOL) test results are the most easily available quantitative metric for measuring achievement. However, since most of the students admitted to these charter schools exhibited poor academic performance in previous schools, the SOL test history and expectations of these students are weak. Given these caveats, four of the charter schools reviewed reported relatively high SOL test scores (i.e., mostly 70 to 100 percent pass rates) and/or generally exhibited improved pass rates over previous years. Two of the remaining three schools have subsequently ceased to be charter schools.

Some of the charter schools reported that their student populations change significantly from year-to-year; significantly more than the traditional schools in their districts. Consequently, indicators of year-to-year improvement on a student-by-student basis would provide a more accurate measure of student achievement than a comparison of data aggregated at the school- or class-levels. Limited resources have prevented most schools from using this approach and those that have reported mixed results. The schools included in this report mentioned using, in addition to SOL test data, numerous other quantitative approaches to measure improvement, i.e., Preliminary Scholastic

Assessment Test (PSAT), reading assessments, Brigance Test, Test of Adult Basic Education, mean gain per grade level assessments, core subject grades, and other standardized tests. Only three schools reported demonstrated academic improvement: 1) one by tracking SOL test score improvement; 2) one in using other multiple measurement tools such as those cited above; and 3) one by using primarily core subject grades combined with other measurement tools.

In summary, efforts to demonstrate public charter school student achievement using quantitative testing results are limited in scope. In general, available SOL test data provide results that suggest at least some student academic performance improvement. Schools reporting the use of other quantitative measurement approaches claim that they also show student performance improvement.

2. Other Measures of Achievement. Many of the at-risk students attending charter schools have a poor history of discipline, attitude, peer relationship, study habits, and communications issues. Since these characteristics lead to or are correlated with low attendance levels and high dropout rates, the charter schools have provided numerous faculty professional development and student programs emphasizing improvement in these areas.

The overall average daily attendance in the charter schools has improved slightly over the last several years and the attendance rate is now within five to ten percent of that in the traditional schools in their respective districts. Dropout rate data vary significantly from school to school and over time for each charter school. Charter school dropout rates have historically been much higher (e.g., 0 to 35 percent) than rates for traditional schools in their respective districts (e.g., 0 to 5 percent). The overall dropout rate in the charter schools over the past several years appears to have improved slightly. Available attendance and drop out data for 2003-2004, trends, and comparisons with traditional schools are summarized in the following table.

**Table 3.
Attendance and Dropout Rates**

Measure	Charter Schools 2003-2004	Traditional Schools in Division
Average Daily Attendance	88.7%	95% to 96%
Dropout Rate	Incomplete data [1]	2% to 3%

Note 1: By September 3, 2004, only four of the seven charter schools had compiled and reported dropout rate data for 2003-2004; the weighted average dropout rate for these four schools was about 13 percent. Of these four reporting schools, two reported 0 percent dropouts and the other two reported slightly lower rates than in previous years.

All of the schools reviewed claimed anecdotal evidence from students, parents, and the community suggesting that their approaches to improving attendance and reducing dropout rates have had a significant positive impact.

Similar anecdotal data suggest that the charter school environment and approaches

have had success in improving other discipline, attitude, peer relationship, study habits, and communications problems. All schools reported aggressive programs to involve and communicate with parents and the community. These programs varied in nature and extent from school to school, but in general, were perceived by the schools as being successful (see school comments in the attachments).

3. Comparing Charter School and Traditional School Student Performance

None of seven charter schools in Virginia reported having conducted a comprehensive comparison of the performance of their students with the students in the traditional schools in their division. Several of the charter schools reported performing, or considering to perform, limited comparisons using different approaches to compare their students with comparable populations in traditional schools. Given the dissimilarities in the student populations and the objectives of the schools, defining “comparable” student populations for comparison purposes is difficult. Moreover, the differences in reported student performance among the charter schools may dictate different comparative approaches for the various charter schools.

Generally, the objective of the charter schools is to provide an alternative educational approach and environment to improve educational results for students who experienced failure or poor performance in the traditional schools. Consequently, the comparative performance issue is one of determining whether each individual student would perform or has performed better in a traditional or charter school. There are limited data to support these types of longitudinal analyses and some schools claim to be investigating options to do so on a student-by-student basis. However, available resources to pursue these options are limited.

4. Overall Assessment. From the perspective of the charter schools, they have all made progress towards or have achieved the goals and objectives as stated in their charters. For most of these schools, quantitative data available tend to support these perceptions while the qualitative/anecdotal data more strongly support these perspectives.

B. Impact of Public Charter Schools

The impact of public charter school contributions is difficult to define in Virginia or nationally. Of the 88,000 public schools nationally, only about 3,000 were charter schools and only seven of those were in Virginia. The total charter school population was less than 0.1 percent of the total Virginia public school population.

Since the students attending these schools were deemed to be at risk of failing academically or performing below their potential, the ultimate charter school impact, from the perspectives of the students, their parents/guardians, and the community, is to produce graduates that are more successful than they would have been without the charter school opportunity. There are no available quantitative, scientifically-based options to demonstrate that the charter schools are achieving this goal, but there are numerous sources of information that suggest at least partial success.

First, not all students succeed in charter schools. The charter student drop out rate is much higher than in traditional schools. While the charter school drop out rate appears to have improved over the last several years, the overall drop out rate for charter

schools still appears to be roughly about five times that of students in the traditional schools (albeit, some charter schools report drop out rates near zero). A more relevant set of observations is derived from responding charter school administrators and reported parental and student feedback. These sources suggest that while drop out rates for the charter school students are high, the expected failure/drop out rates of these students in traditional schools may have been much higher given their performance prior to switching to charter schools. No quantitative analysis is available to confirm this perception.

Second, there are varied results reported by the charter schools relating to the overall success of their programs and their impact on the communities that they serve. Some schools report very high graduation/completion rates. Most schools report improved testing results and core subject academic performance. The data and data availability vary significantly from school to school, but the general performance results appear to be positive.

Third, all schools report aggressive programs to achieve student-parental-community involvement, and most of these schools self-report significant success. This success has been at least somewhat confirmed by community awards and other forms of recognition and by parental surveys. Several schools report extensive and successful programs to build students' sense of responsibility, character, planning, community, and other personal growth areas not necessarily captured by the core subject area academic performance. Again, this success has been at least somewhat confirmed by community recognition and by parental surveys.

There is no capacity within the scope of this evaluation to assess the return on the investment for the public charter schools of Virginia. However, available information suggests that the small size, individualized instruction, and innovative approaches to education found in these schools have had a positive impact on the communities that they serve.

ATTACHMENTS

The seven charter schools in Virginia are very different. These differences limit the ability to generalize charter school performance and impact. Consequently, the information, observations, and conclusions reflected in the summary report do not reflect many of the unique accomplishments of the charter schools evaluated.

The following sections provide an attachment for each individual school that is included in the summary report. Each attachment includes school-specific information, to the extent available, for the same evaluation areas considered in the summary report. Specifically, the following attachments provide:

- school-specific general school information
- school-specific student SOL test data
- school-specific attendance data
- school-specific drop out data
- school-specific professional development information and
- school-specific staffing data/information

Sections in italics and beginning with the word “comment” are derived from (or are taken directly from) information provided by the charter schools in their 2003-2004 annual evaluation report. These responses often provide insight related to school accomplishments and student performance that could not be captured in the summary report. Specifically, these qualitative reflections of school responses are related to:

- student achievement
- professional development programs
- parent/community involvement
- effectiveness in meeting the needs of the population served
- charter compliance and
- progress towards the charter school goals

Attachment A1

Albemarle County, Murray High School

Year opened as a charter school:	2001
Grades served in 2003-2004:	9-12
Enrollment 2003-2004:	98
Will operate as a charter school during 2004-2005 school year:	Yes

Student Achievement

Murray High School SOL test results have improved over their three years as a charter school and their 2003-2004 results generally compare favorably with, or exceed, overall division and Virginia SOL test results, as depicted in the following table.

Table A1.1.
SOL Test Results for Murray High School

SOL End of Course Test Results				Division Results
	2001-2002	2002-2003	2003-2004 [1]	2002-2003
English Reading	71%	100%	96%	94%
English Writing	67%	93%	92%	91%
Algebra I	100%	75%	75%	84%
Algebra II	71%	N/A	73%	79%
Geometry	90%	83%	90%	88%
World Geography	63%	60%	100%	50%
World History I	N/A	100%	N/A	89%
World History II	75%	89%	100%	90%
U. S. History	57%	68%	93%	72%
Earth Science	70%	N/A	93%	81%
Biology	100%	75%	100%	90%
Chemistry	N/A	N/A	N/A	93%

Note [1]: Student SOL test results as reported by the charter school.

Comment. Other measures of student academic progress include graduation and completion rates. All students seeking a diploma or Individual Student Alternative Education Plan (ISAEP) completion were successful. In June 2004, 31 students were graduated, the largest graduating class since the school opened. Three students earned an advanced studies diploma and 17 earned a standard diploma. Of the 31 graduates, 27 plan to continue their education at the community college or university levels. Four students went directly into the workforce. Another student joined the Marines Corps immediately after graduation. In addition to the 31 graduates, two Murray students earned their General Educational Development (GED) certificate through the ISAEP program at the Charlottesville-Albemarle Technical Education Center (CATEC).

The following table summarizes average daily attendance and dropout rates for Murray High School. Attendance has improved slightly since becoming a charter school and is approaching the overall attendance rates of 95 to 96 percent for the district. Dropout

rates are very low and have historically been better than those in the traditional school system in the district and statewide.

Table A1.2.
Average Daily Attendance and Dropout Rates for Murray High School

Average Daily Attendance	2001-2002	2002-2003	2003-2004
Murray High School	90.5%	93.3%	93.8%
Dropout Rates	2001-2002	2002-2003	2003-2004
Murray High School	0.00%	0.01%	[1]

Note [1]: 2003-04 dropout data cannot be determined until after October 1 per VDOE procedures.

Professional Development

Customized for charter school personnel only	No
Professional development hours provided	Hundreds
Professional development activities provided	11
Amount of communication with other charter schools within Virginia	Very little
Opportunity to attend national meeting(s) regarding charter schools	No

Comment: Along with their continued participation in division-based staff development in areas such as reading strategies in the content areas, engaging active learners, using technology to support instruction, and differentiated instruction, Murray staff participated in school-based staff development initiatives related to differentiated instruction, the integration of technology in the classroom, and Choice Theory. Providing differentiated instruction and project-based (active) learning are two major goals at Murray High School. Teachers also participated in local and regional professional development activities specific to their content areas.

Parental/Community Involvement

Comment: Activities were held during 2003-2004 to promote parent and community relations. These activities included open houses for students and their families; parent forums; parent-teacher conferences; and orientations and information sessions about Murray for prospective students and their families. Parents also volunteered at special school activities and participated on division and school committees. A monthly parenting group met to focus on improving relationships within the family using principles of William Glasser. The group was facilitated by Charlotte Wellen, a Murray teacher trained at the advanced level by the Glasser Institute. The 2003-2004 School Improvement Team, which develops goals and monitors progress for the school, included parents, staff, and students. Other efforts to become more involved in the community and to promote positive community relations included student participation in activities such as working with community members in Women Build, a Habitat for Humanity project; mentoring middle school students at the Enterprise Center (a local alternative school for students with discipline problems); raising money for the SPCA as a part of Make a Difference Day; making presentations at schools, conferences, and at the University of Virginia on Choice Theory and Quality Schools; and participating in fine arts events, such as art exhibits at local businesses, musical performances, and poetry readings.

Staff

The 2003-2004 school year staffing data indicated that there was one Murray High School teacher for every 10.4 students enrolled. The school reported that the issue of teachers that were not licensed and endorsed was being addressed. Staffing data for Murray High School are summarized in Table A1.3 below.

A1.3.
Staffing for Murray High School

Category	Total Number (in FTEs)	Positions Filled by Licensed and Endorsed Individuals (FTEs)	% filled by Licensed and Endorsed Individuals
Principal/Director	1.0	1.0	100%
Teachers	9.4	7.4	79%
Paraprofessionals	0.33	N/A	N/A
Guidance Counselors	1.0	1.0	N/A

Waivers None

Overall Assessment All charter schools were requested to respond to three overall assessment questions related to their programs. Extracted responses for each of these three areas are reflected below.

Effectiveness in meeting needs of the population served

Comment: One of the ways in which Murray High School measures whether or not we are meeting the needs of students is by setting as a target that at least 80 percent of our students will meet the criteria to be invited back and will choose to return to Murray. Just over 89 percent of the students were invited to return for 2004-2005. Of the 2003-2004 students, only three (less than 5 percent) chose to return to their base school for 2004-2005.

Compliance with current charter

Comment: Murray High School has met the objectives, conditions, standards, and procedures as determined by the charter with the school board. In February 2004 Murray High School was approved for an additional three years as a charter school.

Progress towards or in achieving goals and objectives of charter

General Comment: Teachers developed new differentiated activities based on the needs, interests, and learning styles of students. Students completed culminating projects in the majority of their classes, which required them to apply the knowledge and concepts that they had learned throughout a given course. Students were encouraged to develop and pursue more intensive studies related to a particular course. All staff participated in staff development activities related to differentiated instruction. Other staff participated in workshops related to using technology to extend learning and engage students in active learning.

More specific responses addressing 2003-2004 Murray High School specific goals as developed by the Murray High Improvement team follow.

Goal #1: The Murray community will work to improve the academic performance of students.

Objective #1: To improve student achievement related to the skills and knowledge in the Standards of Learning so that:

1. Murray High School remains fully accredited in 2004-05
Evidence of Success: Fully Accredited Status for 2004-05
2. Student pass rates are at least 90 percent in English and 80 percent in the three other content areas.
Evidence of Success: Pass rate targets for 2004-05 are as follows:
English remain at 92 percent
History from 76 to 80 percent
Mathematics at least from 77 to 80 percent
Science from 78 to 80 percent

Progress Made: Pass rates for 2004-05 are as follows:

- English 94 percent (2 percent above target)
- History 94 percent (14 percent above target)
- Science 96 percent (16 percent above target)
- Mathematics 79 percent (1 percent below target)

3. Students will earn sufficient credits and verified credits by 2004 to graduate with a standard, advanced studies, modified standard, or special diploma.

Evidence of Success: 100 percent of students at Murray High School will earn their high school diploma.

Progress Made: All seniors earned sufficient credits and verified credits to graduate with either an advanced studies or standard diploma.

Objective #2: To develop and provide differentiated learning activities that encourage students to apply knowledge and produce quality work.

Evidence of Success:

1. Students will produce at least one quality product during the school year and will prepare it to include in their final portfolio.
2. Each teacher will develop at least one major unit each semester that includes a project-based component.

Progress Made: Teachers continued to add project-based learning to classes so that students were required to apply and synthesize knowledge. All seniors were asked to select quality products for inclusion in their senior portfolios. Workshops on quality products and quality work were presented at the beginning of the year to all students. All seniors were required to do a senior portfolio before graduation. One of the requirements for the portfolio was the inclusion of quality work that the students had done while at Murray. Most seniors chose to do an electronic (DVD) portfolio.

Goal #2: The Murray community will work to better prepare students for "life after high school."

Evidence of Success: 80 percent of seniors will participate in a senior internship, Charlottesville-Albemarle Technical Education Center (CATEC) program, and/or college-level class in 2003-04.

Progress Made: Of the 31 seniors, approximately 60 percent completed a senior internship, CATEC program or college-level class. It was difficult to schedule these activities for seniors who transferred into Murray for their final year of school that represented about one-fourth of the senior class in 2003-04. Often there was not room in their schedule to take advantage of these activities. Other students could not take college classes because of financial considerations. Also, we had a number of seniors who needed to take core academics at Murray in order to graduate and could not participate in the internships, CATEC, or Piedmont Valley Community College (PVCC). We are continuing to make this a priority for our seniors.

Goal #3: The Murray community will create and sustain a school environment that invites personal commitment and learning for all.

Evidence of Success: 80 percent of the students at Murray in 2003-04 will meet the criteria to be invited to return to Murray HS in 2004-5. (Students must earn at least five credits, miss no more than ten days (excluding absences for illness, medical/court appointments, emergencies, or school-related absences) and adhere to RAMPS (Respect, Attend, Mediate, Participate, and Share).

Progress Made: Student orientations and workshops were held the first week of school to build team and community spirit. Regular school-wide (community) meetings were planned and conducted by students. Open microphone time has been incorporated in community meetings to give students the opportunity to express their ideas and concerns in a less formal way. Just over 89 percent of students were invited to return to Murray for 2004-05. Only three students chose to return to their base schools.

Goal #4: The Murray community will become a more family friendly school.

Evidence of Success: 80 percent of parents/families indicated that they were "satisfied" or "very

satisfied" with new parent activities, the Glasser-based parent meetings and the Community Evening of Sharing.

Progress Made: Murray does not have a parent-teacher organization. Instead parents are invited to come to school for specific activities such as forums or parent groups. Following a forum, parents asked for more information about using Choice Theory at home. Based on this interest, Charlotte Wellen, a Murray teacher and an instructor for the Glasser Institute, organized and facilitated monthly parent meetings. In 2004-05, she will continue with the parent group started last year, and will start a new group for first-time parents. All parents who participated in the 2003-2004 parent group and who were contacted were very satisfied with the Glasser meetings. The Community Evening of Share was cancelled because of bad weather and could not be rescheduled. A Community Day of Sharing was held with the community during the day (at lunch time), and parents were invited to attend.

Goal #5: New technology will successfully be used by students in class and at home.

Evidence of Success: Each student will successfully and appropriately utilize laptop computers to enhance their learning experiences and to attain high school credit.

Progress Made: During the 2003-04 school year sufficient funding was available to purchase enough laptops so that every student had access to technology in every class. The computers are used in every class, for such activities as research, project creation, word processing, and digital video. In a survey in the spring of 2004, teachers felt that they were able to use technology effectively in their classes, and that students were using technology to advance their learning.

Attachment A2

Chesterfield County, Chesterfield Community High School

Year opened as a charter school:	2002
Grades served in 2003-2004:	9-12
Enrollment 2003-2004:	298
Will operate as a charter school during 2004-2005 school year:	Yes

Student Achievement

As depicted in Table A2.1, Chesterfield Community High School (CCHS) SOL test results have been very weak relative to overall Virginia SOL test scores and there has been no clear pattern over the last two years. No other quantitative or qualitative measures of student performance were reported. SOL test results should be evaluated in the context of the selection criteria for attending Chesterfield Community High School. These include being a student who has: (1) been unsuccessful in a traditional school setting and who would benefit academically from a smaller, nontraditional school environment, (2) been retained one or more times, (3) dropped out of school and is returning to school one or more years behind their peers, and (4) chronic problems of attendance, discipline, and/or academic underachievement.

Table A2.1.
SOL Test Results for Chesterfield Community High School

SOL End of Course			Division Results
Test Results	2002-2003	2003-2004 [1]	2002-2003
English Reading/Lit	92%	69%	96%
English Writing	66%	47%	92%
Algebra I	35%	30%	78%
Algebra II	N/A	N/A	74%
Geometry	34%	18%	74%
World Geography	N/A	N/A	N/A
World History I	63%	32%	88%
World History II	N/A	N/A	89%
U. S. History	71%	83%	73%
Earth Science	39%	50%	77%
Biology	58%	32%	86%
Chemistry	N/A	N/A	86%

Note [1]: Student SOL test results as reported by the charter school.

Average Daily Attendance rates for Chesterfield Community High School have been just under 90 percent, which is lower than for the division or state in general (typically 95 to 96 percent). As noted above, dropout rates are much higher (about 20 percent) than for the division or state in general (typically 1 to 4 percent). These data are summarized in Table A2.2.

Comment: The attendance rate for the charter school is below the attendance rate for the other regular schools in the county. Poor attendance is one of the major issues that have affected the academic

achievement of the charter school students prior to their enrollment in the charter school. CCHS has a long-standing commitment to supporting student attendance as faculty and staff believe that consistent attendance is the foundation for academic success. To that end, a variety of activities have been instituted to encourage and recognize attendance including the following:

- SOAR (Success, Ownership, Attendance, Respect) Program which acknowledges students with "Eagle Bucks" for being present and on time each day. Eagle Bucks can be redeemed in the school store for tangible items such as school supplies, food, and other student preferred items.
- Excellent Attendance Program for students having fewer than five absences during the semester. Students meeting attendance criteria are treated to a special breakfast to recognize their achievement.
- Student of the Month awards to recognize students who show academic progress and/or improvement, citizenship, and at least 90 percent attendance.
- Year-end Awards Ceremony to recognize students for attendance, effort, and/or achievement. Students receive certificates and plaques recognizing their success.
- Telephone call to absentees by attendance clerk and teachers to determine reasons for absences and to encourage improved attendance.
- Student Assistance Program that works with students who are referred for poor attendance. School social worker or other staff work with students and families on issues affecting school attendance.
- Pilot program involving student mentors. Students with good attendance were matched with students experiencing attendance problems. The student mentors made daily contact with their student and encouraged attendance.

Comment: While dropout rates are higher than in the other nine high schools in the county, all students who are referred to the charter school are considered at risk of dropping out prior to their admission. A total of 112 students graduated through the day and night school programs who may not have graduated without the services of the charter school. A comparison to students in regular schools has not been made.

Table A2.2.
Average Daily Attendance and Dropout Rates for
Chesterfield Community High School

Average Daily Attendance	2002-2003	2003-2004
Chesterfield Community High School	88%	89%
Dropout Rates	2002-2003	2003-2004
Chesterfield Community High School	22%	19.7%

Professional Development

Customized for charter school personnel only	Yes
Professional development hours provided	31
Professional development activities provided	10
Amount of communication with other charter schools within Virginia	Very little
Opportunity to attend national meeting(s) regarding charter schools	No

Comment: Staff development training using Classroom Instruction That Works by Robert Marzano continued for teaching staff with a focus on the first three strategies: Identifying similarities and differences, summarizing and note-taking, and reinforcing effort and providing recognition. Additionally, Virginia Commonwealth University's Technical Training and Assistance Center (T/TAC) offered a class for credit to all teachers on "Effective Instruction: Managing Classroom Behavior and Enhancing Academic Achievement." The textbook Classroom Management That Works, also based on the research-based strategies of Robert Marzano, was used for the course. The purpose of the course was to develop a

system within Chesterfield Community High School to support the ongoing use of effective classroom management and instructional strategies. Classes met weekly during the second semester.

Parental/Community Involvement

Comment: The Charter Management Committee met monthly during the 2003-2004 school year. The committee is comprised of six staff members and eight community members, two of whom are parents.

In addition to membership on the Charter Management Committee, parents were involved through membership on the SOAR committee that promotes positive behavior, academic achievement, and good attendance. Students are acknowledged for exhibiting positive behaviors and meeting school expectations through a reward system that can be redeemed for student selected items in the "SOAR Store." School staff and volunteers are involved in running the school store and in soliciting items to be made available to students. Parents are also involved in the athletic programs at Chesterfield Community High School and worked as volunteers at games and other athletic events.

Chesterfield Community High School is a part of Communities In Schools (CIS) of Chesterfield and as such receives a great amount of community support through the public/private partnerships developed by CIS. CIS was developed to enhance the potential for youth to complete school and become contributing members of society. Community volunteers work one-on-one with students as mentors and tutors to provide supportive educational services to students. Volunteers were also recruited to serve as leaders in a book club program, "Chat and Chew," which offered lunchtime book discussions for interested students. A Student Assistance Program is also in place to address student and/or family issues that may affect academic achievement. A repositioned Department of Social Services (DSS) worker and a consultant from the adolescent substance abuse unit of Chesterfield Mental Health serve on the student assistance team in addition to the school nurse, school social worker, and school psychologist. Students are also paired with community volunteers for career exploration and job shadowing.

Staff

Staffing data for the 2003-2004 school year indicated that there was one Chesterfield Community High School teacher for every 14.5 students enrolled. Approximately 93 percent of all teachers were reported to be licensed and endorsed in the areas in which they taught. The following table summarizing staffing for the school.

Table A2.3.
Staffing for Chesterfield Community High School

Category	Total Number (in FTEs)	Positions Filled by Licensed and Endorsed Individuals (FTEs)	% filled by Licensed and Endorsed Individuals
Principal/Director	1	1	100%
Teachers	20.5	23	93%
Paraprofessionals	5	N/A	N/A
Guidance Counselors	1	1	100%

Note: In addition to the above staff Chesterfield Community High School reports two tutor/monitors, one security monitor, one clinic aide, and one CIS site coordinator.

Waivers None

Overall Assessment All charter schools were requested to respond to three overall assessment questions related to their programs. Extracted responses for each of these three areas are reflected below.

Effectiveness in meeting needs of the population served

Comment: The charter school serves an at-risk population identified by school administrators and counselors, as well as by parents and students themselves, who would benefit from an alternative school setting with smaller classes and academic interventions and programs designed to meet the needs of academic underachievers. To this end, the charter school has been effective in providing an opportunity for identified students to remain in school and work toward completing graduation requirements. During 2003-2004, 242 students were promoted or graduated, with 36 students retained. This does not include students who were served through the GED, Pre-GED, and Literacy Development programs which provide educational opportunities for students who are not planning to continue to high school graduation.

Compliance with current charter

Comment: The charter school has effectively complied with the program objectives, conditions, standards and procedures as dictated by the current charter. The charter school follows the guidelines established by Chesterfield County Public Schools regarding curriculum and instruction, certification of the teaching staff, credit requirements, and funding.

Progress towards or in achieving goals and objectives of charter

Comment: The charter school has made progress toward the goals and objectives dictated by the current charter in terms of providing an alternative educational program for students who have been unsuccessful in a traditional school environment but who still wish to attain the goal of high school graduation. The charter school has provided students with a supportive environment and assistance in developing a plan for success in high school and beyond. Teachers and other staff have committed to learning and implementing effective instructional and classroom management strategies to help students be successful. On-going staff development and training is an integral part of the school improvement planning with adherence to guidelines established for lesson planning, pacing, data analysis, and remediation.

The primary goals for students at Chesterfield Community High School are to increase their basic skills in English, mathematics, science, and history and social sciences in order to pass the Virginia Standards of Learning tests, to complete high school, and to make the successful transition from school to work or higher education.

Pass rates on the SOL tests continue to fluctuate and have not reached the goal of 70 percent in all areas. The charter school is accredited with warning in mathematics for the second year in a row and steps have been taken to analyze instructional methods and provide ongoing training to teachers to help them develop more effective instruction. (Please refer to section on staff development for detail regarding teacher training).

On-going remediation programs both before and after school have been implemented to provide students with opportunities for additional instruction and support. Student Assistance Programming continues to provide intervention and supportive services to help students deal with issues affecting academic success. On-going evaluation and support from central office personnel is being provided to help the charter school achieve its goals.

Attachment A3 Gloucester County, Victory Academy

Year opened as a charter school: 1999
 Grades served in 2003-2004: 7-8
 Enrollment 2003-2004: 42
 Will operate as a charter school during 2004-2005 school year: No

Student Achievement

Historically, Victory Academy's SOL test results have been weak compared to overall Virginia SOL test scores. However, as depicted in Table A3.1, there has been observable improvement in results for some subject areas for more recent years. The criteria for the selection of eligible students followed a pattern similar to that of other charter schools, i.e., students who were at risk of not being successful in the regular school setting and without excessive disciplinary referrals. Students selected were those who viewed themselves as not being successful in the regular school setting. A prerequisite for admission was a requirement for each applicant to be up to two years behind in the basic skills and have average ability.

**Table A3.1.
SOL Results for Victory Academy**

SOL End of Course Test Results							Division Results
	1999	2000	2001	2002	2003	2004 [1]	2002-2003
English Reading/Lit	N/A	N/A	N/A	N/A	N/A	N/A	87%
English Writing	N/A	N/A	N/A	N/A	N/A	N/A	92%
Algebra 1	N/A	N/A	N/A	N/A	N/A	N/A	65%
Algebra II	N/A	N/A	N/A	N/A	N/A	N/A	66%
Geometry	N/A	N/A	N/A	N/A	N/A	N/A	78%
World Geography	N/A	40%	24%	70%	42%	57%	80%
World History I	N/A	45%	55%	58%	77%	N/A	82%
World History II	N/A	N/A	N/A	N/A	N/A	N/A	85%
U. S. History	N/A	N/A	N/A	N/A	N/A	N/A	73%
Earth Science	N/A	40%	63%	21%	27%	N/A	74%
Biology	N/A	N/A	N/A	N/A	N/A	N/A	77%
Chemistry	N/A	N/A	N/A	N/A	N/A	N/A	89%
Grade 8 SOL Results	1999	2000	2001	2002	2003	2004	2002-2003
English Reading	0%	21%	20%	45%	27%	32%	81%
English Writing	8%	11%	25%	40%	18%	41%	77%
Mathematics	0%	11%	0%	30%	27%	50%	80%
Science	50%	47%	47%	74%	38%	62%	91%
History and SS	N/A	N/A	N/A	N/A	N/A	N/A	85%

Note [1]: Student SOL test results as reported by the charter school.

Average Daily Attendance rates for Victory Academy have improved since opening as a charter school. As depicted in Table A3.2, by the 2003-2004 school year, attendance rates had risen to a level that exceeded the statewide attendance averages of 95 to 96 percent. From the 2000-2001 school year to the 2003-2004 school year the Victory Academy attendance rate increased from 81.8 to 97.8 percent, or a 16 percent gain. Dropout data were not provided by the school. Limited available VDOE data suggested that Victory Academy dropout rates were higher than both division and state levels, but were actually somewhat better than the overall Virginia charter school population.

Table A3.2.
Average Daily Attendance and Dropout Rates for Victory Academy

Average Daily Attendance	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004
Victory Academy	90.9%	81.8%	87.8%	91.8%	97.8%
Dropout Rates	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004
Victory Academy	12.2% [1]	Not Reported	2.8% [1]	Not Reported	Not Reported

Note [1]: Drop out data provided by VDOE, not the school.

Professional Development

Customized for charter school personnel only	Yes
Professional development hours provided	4
Professional development activities provided	5
Amount of communication with other charter schools within Virginia	Very little
Opportunity to attend national meeting(s) regarding charter schools	No

Comment: Teachers at the Victory Academy were offered professional development in the area of instructional strategies in the form of a teacher handbook. Four strategies were identified for professional development purposes: Cooperative Learning, Guided Practice, Note-Taking/Graphic Organizers, and Problem-Based Learning. A one-hour workshop was conducted on each strategy by an area consultant. All teachers at the Victory Academy participated. The professional development activity assisted teachers in analyzing the variables in teaching situations as well as provided them with strategies that would likely lead to students success.

Parental/Community Involvement

Gloucester County reported that it was difficult to engage parents and community in the new concepts. Only after months of parental communication and education of the public did the level of participation improve. The improvement was described as dramatic. Parents visited the school during the regular school day as well as attending routinely on conference nights. Although the Victory Academy has closed, its management team reported the level of parental participation to have remained high up until the end. In addition, Victory Academy adopted a highly sophisticated system of notifying parents of student absences. This included, but was not limited to, a computer generated letter including student absentee status after two missed days, a mid-quarter interim progress report indicating absences and the routine report card indicating absences at the end of a grading period. Follow-up calls were made whenever parental notification was deemed to be less than satisfactory.

Staff

Staffing data for the 2003-2004 school year indicated that there was one Victory Academy teacher for every 10.5 students enrolled. Approximately 75 percent of all teachers were reported to be licensed and endorsed in the areas in which they teach. The following table summarizes Victory Academy staffing.

Table A3.3.
Staffing for Victory Academy

Category	Total Number (in FTEs)	Positions Filled by Licensed and Endorsed Individuals (FTEs)	% filled by Licensed and Endorsed Individuals
Principal/Director	1	1	100%
Teachers	4	3	75%
Paraprofessionals	1	1	100%
Guidance Counselors	.5	.5	100%

Waivers None

Overall Assessment All charter schools were requested to respond to three overall assessment questions related to their programs. Extracted responses for each of these three areas are reflected below.

Effectiveness in meeting needs of the population served

Overall officials of the Gloucester School Division reported the Victory Academy venture to have been a successful one. Although further data were not available for analysis purposes as a result of the school closing, it can be concluded from a review of SOL test score results, improved attendance, and dropout data, that the Victory Academy realized some success. Financial limitations were reported to be the ultimate cause of its closing.

Compliance with current charter**Progress towards or in achieving goals and objectives of charter**

(combined response)

Although specific data were not provided for absolute determination of full compliance, the objectives and goals reported to have been achieved would suggest at least general compliance. Victory Academy served as an alternative school among the Gloucester County schools and provided some evidence of an increase in their students' basic skill development as well as reporting substantial improvement in students' attitude toward school. Truancy, social problems, absences and other well-known factors adversely affecting a student's success were reported to be at a minimum. Victory Academy appeared to provide students an environment that supported student success.

Attachment A4

Greene County, New Directions Academy

Year opened as a charter school:	2001
Grades served in 2003-2004:	6-12
Enrollment 2003-2004:	24
Will operate as a charter school during 2004-2005 school year:	No

Student Achievement

As depicted in Table A4.1, SOL test results for students at the New Directions Academy have historically been much weaker than statewide results. The New Directions Academy 2003-2004 results were particularly low. The validity of any comparison of these results with either other schools or other years is problematic because these tests involved a total student population of only 24 mostly at-risk students across seven grade levels.

Table A4.1.
SOL Test Results for New Directions Academy

SOL End of Course Test Results				Division Results
	2001-2002	2002-2003	2003-2004 [1]	2002-2003
English Reading/Lit	50%	100%	100%	89%
English Writing	N/A	100%	N/A	81%
Algebra I	N/A	N/A	N/A	72%
Algebra II	N/A	N/A	N/A	100%
Geometry	N/A	N/A	N/A	80%
World Geography	80%	25%	9%	77%
World History I	N/A	43%	N/A	85%
World History II	N/A	N/A	N/A	58%
U. S. History	N/A	100%	N/A	76%
Earth Science	25%	14%	25%	73%
Biology	20%	33%	N/A	78%
Chemistry	N/A	N/A	N/A	89%
Grade 8 SOL Test	2001-2002	2002-2003	2003-2004	2002-2003
English Reading	N/A	57%	26%	54%
English Writing	N/A	43%	38%	80%
Mathematics	N/A	17%	11%	55%
Science	N/A	43%	38%	88%
History and SS	N/A	N/A	N/A	68%

Note [1]: Student SOL test results as reported by the charter school.

Comment: The staff at the New Directions Academy (NDA) uses SOL test results, nine week testing, and daily work to determine progress. Several students were placed at NDA as a recommendation of the School Board. These students were not academically at-risk. Their work was compared with the at-risk students' work.

Students' SOL test scores are plotted to show achievement or decline in ability for grades 5, 8 and End-of-Course tests. Beginning in 2004-2005, a longitudinal study will be made of areas of weakness and strength in each of the four core areas.

Qualitative data related to student performance come from discipline reports and notes on students' improvement in attitude and grades as well as from suspension rates and grades between the years 2003-04 and 2004-05.

Other metrics of student performance included:

- The senior at the school graduated.
- Two students took extra academic courses and earned enough credits to rejoin their classmates on the grade level at which they are now qualified to belong.
- Eight percent of the students were on the A/B Honor Roll.
- A total of 29 percent of the students were on the A/B/C Honor Roll. Most of these students came to the New Directions Academy with grades in the D to F range.
- One third of the students received recognition for Outstanding Academic Achievement.
- Several students represented the school by speaking to audiences about the school.
- One sixth of the students represented the school on junior varsity and varsity sports teams.

Average Daily Attendance rates for the New Directions Academy in 2003-2004 (76 percent) were significantly below attendance rates for traditional Greene County schools or the state, in general (95 to 96 percent). The New Directions Academy 2003-2004 dropout rate was higher than statewide dropout rate of approximately 1 to 4 percent but generally lower than other charter schools serving at-risk students. Available data for average attendance and drop out rates are presented in the following table.

Table A4.2.
Average Daily Attendance and Dropout Rates for New Directions Academy

Average Daily Attendance	2001-2002	2002-2003	2003-2004
New Directions Academy	No Data	99%	76%
Dropout Rates	2000-2001	2002-2003	2003-2004
New Directions Academy	No Data	4%	5%

Note: From VDOE, not school supplied, data.

Professional Development

Customized for charter school personnel only	Yes
Professional development hours provided	18
Professional development activities provided	5
Amount of communication with other charter schools within Virginia	Very little
Opportunity to attend national meeting(s) regarding charter schools	No

Comment: Staff development activities included:

- One full day as well as two teacher workdays to work on classroom management, lesson planning, and focusing on individual students
- Several meetings focusing on individual students. These meetings included personnel from Central Office.

Parental/Community Involvement

Comment: Activities included the following:

- Parental contacts through phone calls, home visits, Open House, or Award Nights
- Student participation in landscaping projects and related field trips involving private and public organizations in the community
- Student participation in civil war history projects involving speakers from the community
- Presentations by the principal to community groups regarding the school
- Creation of a community mentorship relationship

Staff

Staffing data for the 2003-2004 school year indicate that there was one New Directions Academy teacher for every 8 students enrolled. All five (100 percent) of the New Directions Academy teachers were reported to be licensed and endorsed in the areas in which they taught. The following table provides summary data related to school staffing.

Table A4.3.
Staffing for New Directions Academy

Category	Total Number (in FTEs)	Positions Filled by Licensed and Endorsed Individuals	% filled by Licensed and Endorsed Individuals
Principal/Director	1	1	100%
Teachers	3	3	100%
Paraprofessionals	2	2	100%
Guidance Counselors	0	0	N/A

Waivers None

Overall Assessment All charter schools were requested to respond to three overall assessment questions related to their programs. Extracted responses for each of these three areas are reflected below.

Effectiveness in meeting needs of the population served

Comment: The charter school worked with very at-risk children and had some success dealing with a small population (24 students for 2003-2004) over six grades. The school had a principal, three teachers, and two paraprofessionals. Despite limited resources, the school did meet the needs of the students served.

Compliance with current charter

Comment: The charter school has effectively complied with the program objectives, conditions, standards and procedures as dictated by the current charter.

Progress towards or in achieving goals and objectives of charter

Comment: The charter school has made progress toward the goals and objectives dictated by the current charter. The Academic Review Technical Assistance Report 2003-2004 had similar findings. The report cited several areas for improvement. A main issue for the charter school has been a limited set of resources to meet a broad set of objectives.

Attachment A5

Hampton City Schools, Hampton Harbour Academy

Year opened as a charter school:	2001
Grades served in 2003-2004:	3-12
Enrollment 2003-2004:	159
Will operate as a charter school during 2004-2005 school year:	Yes

Student Achievement

As depicted in Table A5.1, student SOL test scores suggested substantial variability by year, grade level, and test. Although the Hampton Harbour Academy results were significantly lower than division and statewide results, the data suggested that significant gains have been made in most subject areas.

Table A5.1.
SOL Results for Hampton Harbour Academy

SOL End of Course Test Results				Division Results
	2001-2002	2002-2003	2003-2004 [1]	2002-2003
English Reading/Lit	58%	92%	80%	95%
English Writing	60%	69%	86%	88%
Algebra I	11%	10%	42%	81%
Algebra II	N/A	N/A	N/A	88%
Geometry	40%	39%	71%	79%
World Geography	25%	25%	16%	72%
World History I	N/A	N/A	N/A	N/A
World History II	N/A	N/A	N/A	87%
U. S. History	10%	31%	33%	69%
Earth Science	14%	35%	46%	69%
Biology	35%	40%	80%	82%
Chemistry	N/A	N/A	N/A	78%
SOL Grades 3, 5, 8				
Test Results [2]	2001-2002	2002-2003	2003-2004	2002-2003
Grade 8				
English: Writing	23%	23%	48%	73%
English: Reading	28%	26%	32%	65%
Mathematics	8%	16%	45%	77%
History/Social Science	22%	38%	76%	79%
Science	41%	44%	82%	78%
Grade 5				
English: Writing	56%	33%	64%	83%
English: Reading	40%	75%	30%	79%
Mathematics	30%	17%	40%	67%
History/Social Science	30%	33%	40%	72%
Science	56%	50%	30%	76%
Grade 3				
English	10%	9%	14%	68%
Mathematics	11%	100%	43%	78%
History/Social Science	25%	19%	33%	78%
Science	22%	30%	14%	75%

Note [1]: Student SOL test results as reported by the charter school.

Hampton Harbour Academy is one charter school that has tried to identify a comparison group with which to compare its students. These efforts and results are provided below.

Comment: It is a simple matter to compare our students to those in regular schools by looking at division wide data such as SOL test scores, attendance, and dropout rates. But, since we have aggregated a group of students who are very different than the population of traditional schools, it is more reasonable to compare our results with particular schools, such as certain Title I elementary schools where the student populations are similar in other characteristics.

As the only required criterion for entry to Hampton Harbour is being two or more years over-age for grade level, we have gathered performance data on students enrolled in regular schools who are also two or more years over-age for their grade level to use as a comparison group. Unfortunately, the use of this group is not statistically sound as they are not a matched group on any other criterion than being over-age. Since they come from a variety of schools, there is no ready way to aggregate data on other characteristics to do a more valid comparison. Still, the results that we used for comparison of the Spring 2004 results are shown below for grades 3-8. Since grades 9-12 are no longer part of the charter for the upcoming year, data on those grade levels are not reported.

Spring 2004 SOL Test Results by Group	Division	HHA	Comparison Group	Group Size	Number Tested
Grade 3 English	60.8%	14%	34.8%	47	43
Grade 3 Math	81.9%	43%	55.3%	47	47
Grade 3 History/Social Science	79.2%	33%	5.2%	47	19
Grade 3 Science	86.9%	14%	48.2%	47	47
Grade 5 Writing	86.4%	64%	66%	49	53 (+recov)
Grade 5 English	78.5%	30%	66%	49	53 (+recov)
Grade 5 Math	68%	40%	37.5%	49	40
Grade 5 History/Social Science	83.2%	40%	0%	49	8
Grade 5 Science	79.8%	30%	54.9%	49	49
Grade 8 Writing	75.7%	48%	36%	113	98
Grade 8 English	69.6%	32%	34.6%	113	99
Grade 8 Math	80.2%	45%	56%	113	80
Grade 8 History/Social Science	86.2%	76%	15%	113	13
Grade 8 Science	85.2%	82%	55%	113	96

The school did not operate as a “stand alone” entity until the 2001-2002 school year when it made the transition from an alternative program, into which students were placed for a variety of reasons—most often behavior related, to a charter school of choice with a focus on academic intervention.

Because the school’s population changes greatly from year to year, it is not surprising that there is much variability in yearly SOL test results. While there are tremendous gains in achievement in some areas, there are actual drops in pass rates in a number of tests. This may be attributable to the change in cohort group from year to year. This is especially true of the elementary population, where the numbers are so small (12 per grade level), the results vary greatly with the performance of each individual child.

As for waivers of any Standards of Accreditation, in its original application, the school requested an exception to operate on a year-round calendar. Since the focus of the school is now academic intervention, the school administration does not seek an exemption from standards, but hopes instead for the acceptance of an alternative accreditation plan, which focuses on the academic gains of students on

a yearly basis. Since the school's population is often replaced with a new group of learners yearly, who may be more behind academically than the previous group these data give a much more accurate picture of academic performance.

The elementary students are administered Brigance Tests of academic achievement when they enter the school. This allows the staff to tailor instruction to the strengths and weaknesses of each individual student. The test is given again in the spring to measure progress before the students exit the school. The middle school students are given the TABE (Test of Adult Basic Education) for the same purposes.

The school has, in the past, reported the mean (average) gain for each grade level. Unfortunately, mean or average scores are highly variable from the influence of extreme student scores at both the high and low ends of the scale. For this reason, the school has begun measuring its results by the percentage of students making a 1.5 grade level gain in mathematics problem solving (applied mathematics) and reading comprehension. These are the two areas of focus for academic intervention for every student at the school. The percentage of students making the 1.5-year gain more readily mirrors state standards (in students passing the SOL tests). These performance measures are those that were originally proposed for an alternative accreditation plan.

The school fell short of its own goals for the 2003-2004 academic year. At the elementary level, only 17 percent of the students made the stated 1.5-year gain in reading comprehension. In mathematics problem solving, 37.9 percent made the requisite gain. These limited gains may be due, in part, to the limited sensitivity of the particular testing instrument used, so the school is investigating the use of more comprehensive diagnostic tests for the upcoming academic year. As may be expected the mean gains are low as well. At the middle school level, 40.7 percent of the students made a 1.5-year gain or higher, while in mathematics problem solving, 46.8 percent made the mark. The mean gain for the middle school grades is strong at 1.64 percent in reading comprehension and 1.67percent in mathematics problem solving.

Average Daily Attendance rates for Hampton Harbour Academy have declined slightly over the last three years from just over 85 percent to just under 83 percent. These rates are approximately 10 to 12 percent less than the division and State as a whole. The dropout rate improved from 2001-2002 to 2002-2003, but was considerably higher than for the school division as a whole (2 to 3 percent). Both attendance and drop out rates are summarized in the following table.

Table A5.2
Average Daily Attendance and Dropout Rates for Hampton Harbour Academy

Average Daily Attendance	2001-2002	2002-2003	2003-2004
Hampton Harbour Academy	85.4%	83.1%	82.8%
Dropout Rates	2000-2001	2002-2003	2003-2004
Hampton Harbour Academy	17%	9.2%	[1]

Note [1]: 2003-04 dropout data cannot be determined until after October 1 per VDOE procedures.

Professional Development

Customized for charter school personnel only	Yes
Professional development hours provided	No data provided
Professional development activities provided	11
Amount of communication with other charter schools within Virginia	Very little
Opportunity to attend national meeting(s) regarding charter schools	No

Comment: Staff development activities frequently involve parents as involvement facilitators to the staff. They coordinated and facilitated workshops and training and various topics that incorporated strategies to assist parents with their children's academic success. The facilitator also provided information regarding school and community resources that would be advantageous to the family.

Staff Development activities were offered in a broad range of classes:

- Who Moved My Cheese? An Understanding of Change
- A Framework for Understanding Poverty
- E-Class Training
- PATTS (Peaceful Alternatives to Tough Situations) Training for teachers
- Using Portfolios for Academic Improvement
- Level Three Technology Training
- Parents on Your Side
- Dealing with Negative Attitudes in the Workplace
- Introduction to Accelerated Reader and Mathematics
 - Update on Drug Use among Adolescents
 - Learning Styles
 - Brain-based Learning Strategies

Parental/Community Involvement

Comment: Hampton Harbour Academy provides alternative education for students in grades 3-12. Students do not come from one central area; thus they are coming from various areas throughout the city. This factor does pose a challenge as it relates to parental/community involvement. This challenge was initially addressed through the efforts of the specific teachers coordinating activities.

During the latter portion of the 2002 academic year, the school added a Title I parent involvement facilitator to the staff. The parent involvement facilitator at Hampton Harbour Academy is essential to the successful fulfillment of the school's mission and vision. The primary responsibility of this position is to function as a liaison between the home and school, providing resources to enhance the overall academic success of the students. The parent involvement facilitator coordinates and facilitates workshops and training on various topics that incorporate strategies to assist parents with their children's academic success. The facilitator also provides information regarding school and community resources that would be advantageous to the family. Home visits and parent meetings are conducted on an as-needed basis to help parents with various concerns.

The parent involvement facilitator also developed a Parent Resource Center. The resource center is equipped to provide parents access to resources via the Internet and numerous videotapes, books, and manuals. Some of the activities that have been successfully completed to bring parents to the school include: Open-House, Fall Kick-Off Breakfast (SOL Based), Parent Institute (mathematics and reading based), Parent Awareness Meeting, 100 Day Celebration, Fifth Grade Cultural Diversity Day, Hampton Harbour Academy Management Team monthly meetings, SOL After-School Program, and Third Grade Open-House. Community partners include: Wal-Mart, Hampton Parks and Recreations, In-Sync Partnerships, Peninsula Reads, The Continentals, The Flower Box, and Beacon of the Cross Roads.

Staff

Staffing data for the 2003-2004 school year indicate that there was one Hampton Harbour Academy teacher for every 6.9 students enrolled. Over 90 percent of these teachers were reported to be licensed and endorsed in the areas in which they taught. The following table provides summary data related to school staffing.

Table A54.3.
Staffing for Hampton Harbour Academy

Category	Total Number (in FTEs)	Positions Filled by Licensed and Endorsed Individuals (FTEs)	% filled by Licensed and Endorsed Individuals
Principal/Director	2	2	100%
Teachers	23	21	91%
Paraprofessionals	3	3	100%
Guidance Counselors	3	1	33%

Note: Other instruction staff included parental facilitators and Deans of Students.

Waivers None

Overall Assessment All charter schools were requested to respond to three overall assessment questions related to their programs. Extracted responses for each of these three areas are reflected below.

Effectiveness in meeting needs of the population served

Comment: We have made tremendous progress with our students both in their basic skills in reading and mathematics and their SOL test performance, but we have a very long way to go. We recognize that these students will have to master high-stakes, criterion referenced testing in order to graduate from high school with a standard diploma. We feel that the school offers an essential niche to students who have otherwise become very frustrated in the traditional setting and have begun to have discipline problems or disengage from the process altogether. We hope to find more effective academic interventions for this target group to continue improving their educational outcomes.

Compliance with current charter

Based upon an examination of the data reported, Hampton Harbour Academy complied with the agreements as prescribed within the charter. They reported that this was particularly applicable to admission practices, instructional practices, and operating procedures. They acknowledged that the academic performance measures had yet a ways to go.

Comment: We are in compliance with the agreements we made in the charter as far as admissions, instructional programs and operating procedures. We have not yet reached the academic performance measures stated in the agreement.

Progress towards or in achieving goals and objectives of charter

The school considered the progress since its inception to be noteworthy. Of the eleven major goals, eight were reported to have been achieved. Failure to achieve the 1.5 grade level progress per year in language arts and mathematics and failure to meet or exceed the federal requirements for Adequate Yearly Progress as set forth in the *No Child Left Behind (NCLB) Act of 2001* were the major cited weaknesses.

Comment: Since being held accountable for meeting the Standards of Accreditation, the school has made amazing progress in improving its instructional program. A new administrator was hired and nearly 50 percent of the teaching staff has been reassigned to assure that highly qualified instructors, fully endorsed in their subject areas are in the classrooms. We are using core curricula and materials well aligned with the SOL. We are using research-based instructional strategies, shown in the literature to be effective interventions with at-risk students. We have had excellent technical assistance from the central staff in Hampton City Schools and from the Virginia Department of Education. Still, we are serving the neediest students in the division and it shows in terms of outcomes. Progress is slow, but there is no alternative but to continue giving our best to these youngsters until we can find the key to unlock their potential. Below is a table reporting the status of each goal and objective in the charter agreement:

Hampton Harbour Academy Goals

Goal I: To improve student academic performance.	Status
Objective 1: To increase identified students' performance in language arts and math by 1.5 grade levels per year.	Unmet
Objective 2: To meet or exceed Virginia's SOL benchmarks by demonstrating continuous improvement in individual student performance on required SOL tests for students in grades 3, 5, 8.	Unmet
Objective 3: To meet or exceed the federal requirements for Adequate Yearly Progress as set forth under No Child Left Behind.	Unmet
Goal II: To address students' instructional needs through innovative approaches to learning time, instructional groupings, and curricular offerings.	Status
Objective 1: To improve the use of time by implementing extended-day school programs, a year-round school calendar with intersession instruction and a concentration of instructional time on critical subject areas, i.e. reading/language arts and mathematics.	Met
Objective 2: To organize for elementary and middle school instruction based on the level of students' instructional needs as determined through reading and math assessments.	Met
Objective 3: To implement a competency-based transitional program for over-age 8 th grade students who are not making progress toward high school matriculation.	Met
Goal III: To prepare transition students for the world of work.	Status
Objective 1: To offer a multi-level curriculum exposing all transition program students to essential credentials, employability skills, workplace basics, career exploration, and academic/career links.	Met
Objective 2: To provide a variety of preparatory activities to support students' transition to the employment sector, career/technical or other adult education programs.	Met
Goal IV: To implement and sustain an on-going student-centered network in which families, the school, and the community are partners.	Status
Objective 1: To adopt an organizational structure that incorporates a school management committee composed of parents of enrolled students, teachers and administrators of the school, and community and business partners.	Met
Objective 2: To promote parental involvement in the educational process through participation in: a) conferences with teachers and staff, b) school-sponsored functions, c) school volunteerism, and d) school management teams.	Met
Objective 3: To establish and maintain a variety of student enrichment and support initiatives to: a) promote academic achievement, b) foster the development of responsibility, leadership, and citizenship skills and, c) enhance the overall school climate.	Met

Attachment A6

Roanoke City Schools, Blue Ridge Technical Academy

Year opened as a charter school:	2001
Grades served in 2003-2004:	9-12
Enrollment 2003-2004:	85
Will operate as a charter school during 2004-2005 school year:	Yes

Student Achievement

As depicted in Table A6.1, Blue Ridge Technical Academy SOL test results were mixed, but generally comparable to statewide and Roanoke City Public School results. English and history scores exceeded statewide and district scores; mathematics scores exceeded division scores and were comparable to statewide scores; and science scores were lower than both division and statewide scores. The small sample size and differences in the populations preclude valid comparisons.

Table A6.1.
SOL Test Results for Blue Ridge Technical Academy

SOL End of Course Test Results				Division Results
	2001-2002	2002-2003	2003-2004 [1]	2002-2003
English Reading/Lit	N/A	89%	100%	88%
English Writing	N/A	89%	100%	86%
Algebra I	100%	71%	78%	71%
Algebra II	100%	67%	N/A	89%
Geometry	100%	N/A	83%	76%
World Geography	N/A	N/A	N/A	100%
World History I	N/A	29%	87%	75%
World History II	N/A	N/A	N/A	88%
U. S. History	N/A	46%	88%	65%
Earth Science	N/A	N/A	66%	63%
Biology	N/A	45%	65%	77%
Chemistry	N/A	50%	N/A	83%

Note [1]: Student SOL test results as reported by the charter school.

The following observations and comments made by the school provide insight as to the differences in student populations and attempts to assess “comparable” student populations as well as other Blue Ridge Technical Academy approaches for measuring student achievement.

Comment: Although SOL test data are compared with the district as a whole, we feel it is better to compare the Blue Ridge Technical Academy (BRTA) students with students who are also enrolled in a Career and Technical Education (CTE) program at the other high schools. This is a more comparable measure because the students share similar educational and career goals. The 2003-2004 CTE Annual Performance Report will not be released until Spring 2005. When comparing the 2002-2003 Annual Report for Roanoke City Public Schools with the 2002-2003 SOL test results for BRTA's students, English and mathematics were “strength” areas for the school. Science and social studies scores were weaker at BRTA than within Roanoke City as a whole.

Previous SOL test results are available for students to measure their performance prior to entering Blue Ridge Technical Academy, but this is not necessarily allowing us to compare “apples to apples” in terms of the subjects that are taught at the elementary and middle schools. The faculty at BRTA looks at each student’s 8th grade SOL test scores for mathematics, science, history and social sciences, and English to determine if there are any weaker areas that need extra attention for particular students. The goal, of course, is to work with students to minimize any weaknesses or deficiencies in particular subjects. The 2003-2004 school year was the first year for a ninth grade cohort at BRTA; all of these students have not yet taken End of Course SOL tests in mathematics or English, so it is premature to analyze these data for any trends.

Qualitative measures have not been implemented, but there is significant anecdotal evidence that parents and students believe Blue Ridge Technical Academy has positively impacted them academically and behaviorally.

Historically, the Average Daily Attendance rates for Blue Ridge Technical Academy students have been lower than both statewide (95 to 96 percent) and Roanoke City Public Schools (94 to 95 percent) attendance rates. Dropout rates have been significantly higher than both district and state levels. The following table summarizes these data.

Table A6.2.
Average Daily Attendance and Dropout Rates for Blue Ridge Technical Academy

Average Daily Attendance	2001-2002	2002-2003	2003-2004
Blue Ridge Technical Academy	90.6%	84.3%	88.5%
Dropout Rates	2000-2001	2002-2003	2003-2004
Blue Ridge Technical Academy	33.3% [1]	29.4% [1]	[2]

Note [1]: Data from VDOE, not school, sources.

Note [2]: 2003-04 dropout data cannot be determined until after October 1 per the VDOE procedures.

Professional Development

Customized for charter school personnel only	No
Professional development hours provided	16+
Professional development activities provided	10
Amount of communication with other charter schools within Virginia	Very little
Opportunity to attend national meeting(s) regarding charter schools	No

Comment: Teachers participated in Fred Jones’ “Tools for Teaching” workshops to improve classroom management and instruction. An in-service on “Reading in the Content Area” was provided to all instructional staff to assist with SOL test preparation. End-of-course SOL course teachers each met with their instructional supervisors to receive ongoing help with curriculum frameworks and pacing guides. During the summer, a seminar on differentiation of instruction and using higher-level questioning techniques to encourage learning was provided to all instructional staff.

Parental/Community Involvement

Comment: Parents have continued to be an integral part of student success by serving as volunteers, partnering with teachers to improve student achievement, and serving on the Business Advisory Council. Attendance at Back-to-School Nights and Open Houses has been strong. Word-of-mouth recommendations by parents have increased awareness in the community and led to referrals of other students. Community involvement has been apparent based on the support provided through the Business Advisory Council. The council has followed through within the three areas served by the sub-committees -- Marketing and Public Relations, Student Needs, and Business/Industry Needs. A curricular

program of studies was developed with the help of the council. Members served as guest speakers, volunteers, and sites for internships and field trips.

Staff

Staffing data for the 2003-2004 school year indicate that there was one Blue Ridge Technical Academy teacher for every 8.9 students enrolled. Approximately 84 percent of all teachers were reported to be licensed and endorsed in the areas in which they taught. Staffing data are summarized in the following table.

Table A6.3.
Staffing for Blue Ridge Technical Academy

Category	Total Number (in FTEs)	Positions Filled by Licensed and Endorsed Individuals (FTEs)	% filled by Licensed and Endorsed Individuals
Principal/Director	1	1	100%
Teachers	9.5	8	84%
Paraprofessionals	1	1	100%
Guidance Counselors	1	1	100%

Waivers None

Overall Assessment All charter schools were requested to respond to three overall assessment questions related to their programs. Extracted responses for each of these three areas are reflected below.

Effectiveness in meeting needs of the population served

Comment: Based on the increase in enrollment, Blue Ridge Technical Academy is doing a better job of awareness within the district-wide student population in order to attract students seeking careers in health/medical sciences and business/information technology. The first cohort of seniors graduated in 2003-2004 and all are seeking careers or postsecondary education in the above-mentioned career fields. BRTA is continuing to work on additional partnerships with institutions of higher education (Jefferson College of Health Sciences) and to offer opportunities for industry certifications while enrolled in classes with BRTA and/or dual enrollment opportunities with Virginia Western Community College. These certifications are: First Aid/CPR, Certified Nursing Assistant, Microsoft Office Specialist, A+, and IC3.

Compliance with current charter

Progress towards, or in achieving, the goals and objectives of charter

Combined comments:

Goal 1 The SOL goal of having 85 percent of all students pass SOL tests was achieved or exceeded in history and English. Mathematics and science did not meet that overall goal, but the specific objectives were implemented. In addition, strategies were developed last year with the assistance of a VDOE Academic Review Team to address these deficiencies and work on a plan of improvement for all academic areas. These strategies are being implemented during 2004-2005 as part of the three year School Improvement Plan. The GED pass rate at BRTA was 68 percent. This percentage will improve during 2004-05 as the appropriate guidelines for ISAEP are followed regarding student admittance to the program. The overall GED pass rate for all of Roanoke City was 61 percent, so BRTA compares favorably with the population as a whole.

Goal 2 The goal to increase Career and Technical Education competencies through work-related learning has been met. All students participated in career development opportunities and related field trips. Job shadowing was offered to all second-semester GED students and rising seniors.

- Goal 3 The enrollment goal was met as evidenced by the increase of enrollment to 85 students.
- Goal 4 Dual enrollment opportunities were available to students through a coordination of efforts with Virginia Western Community College.
- Goal 5 Parental involvement was apparent through parent/teacher conferences, open houses, student support group meetings, and representation on the Business Advisory Council.

Attachment A7
York County Schools, York River Academy

Year opened as a charter school:	2002
Grades served in 2003-2004:	9-10
Enrollment 2003-2004:	39
Will operate as a charter school during 2004-2005 school year:	Yes

Student Achievement

As depicted in Table A7.1, there are only limited SOL test results for York River Academy, they vary significantly across the two years of testing, the numbers of students involved is very small, and results generally compare favorably with division and state results.

Table A7.1.
SOL Test Results for York River Academy

SOL End of Course Test Results			Division Results
	2002-2003	2003-2004 [1]	2002-2003
English Reading/Lit	50%	N/A	96%
English Writing	N/A	N/A	96%
Algebra I	33%	89%	86%
Algebra II	N/A	N/A	92%
Geometry	N/A	N/A	92%
World Geography	90%	85%	70%
World History I	N/A	100%	91%
World History II	N/A	N/A	87%
U. S. History	N/A	N/A	83%
Earth Science	100%	71%	78%
Biology	N/A	N/A	92%
Chemistry	N/A	N/A	95%

Note [1]: Student SOL test results as reported by the charter school.

Comment: Besides SOL tests, other assessment measures used to determine progress toward goals and objectives include Grade Point Average (GPA) and students' portfolios. Through core subject grades and averages, the York River Academy reports demonstrating performance improvement of their students.

Since the inception of York River Academy, we have used EOC SOL test results, Stanford 9, Stanford 10, Gates-MacGinitie Reading Test and division-created mathematics benchmark tools. However, we make no distinctions between the York River Academy at-risk student body and the general student population in regular schools.

Average Daily Attendance rates for the York River Academy have improved slightly over the two years that the school has been in existence and were just slightly below division (96 to 97 percent) and statewide (95 to 96 percent) attendance levels during the 2003-2004 school year. York River Academy reported a zero drop out rate for both years of the school's existence. Table A7.2 depicts these data.

Table A7.2.
Average Daily Attendance and Dropout Rates for York River Academy

Average Daily Attendance	2002-2003	2003-2004
York River Academy	94.7%	95.4%
Dropout Rates	2002-2003	2003-2004
York River Academy	0%	0%

Professional Development

Customized for charter school personnel only	Yes
Professional development hours provided	40+
Professional development activities provided	11
Amount of communication with other charter schools within Virginia	Very little
Opportunity to attend national meeting(s) regarding charter schools	Yes

Comment: Teachers were trained in the use of handheld computers, digital portfolios, and multiple software applications. This professional development increased faculty capacities necessary to meet Goal #1 (“...offer computer and Web-design instruction and career-oriented opportunities for at-risk ninth and tenth grade students”) and Goal #2 (“...create a learning environment that values both community responsibility and individual achievement”). In addition, teachers were scheduled for daily team meetings to develop a professional learning community culture. In support of Goal #3 (“...create and maintain effective partnerships among the school, family, and community), all teachers participated in the evening curriculum for the Parent Partnership Program.

Parent/Community Involvement

Comment: Parents and families attend evening research-based Parent Partnership Nights throughout the year designed to increase protective factors. Additionally, annual surveys of students and parents indicate significant increases in charter school satisfaction across many variables when compared to their previous traditional school experiences. Lastly, community partnerships have contributed almost \$90,000 (cash or resources) to York River Academy since its inception.

Staff

Staffing data for the 2003-2004 school year indicate that there was one York River Academy teacher for every 7.8 students enrolled. All of the five teachers (100 percent) were reported to be licensed and endorsed in the areas in which they taught. Data summarizing staffing are depicted in the following table.

Table A7.3.
Staffing for York River Academy

Category	Total Number (in FTEs)	Positions Filled by Licensed and Endorsed Individuals (FTEs)	% filled by Licensed and Endorsed Individuals
Principal/Director	1.0	1.0	100%
Teachers	5.0	5.0	100%
Paraprofessionals	0	0	N/A
Guidance Counselors	1.0	1.0	100%

Waivers None

Overall Assessment All charter schools were requested to respond to three overall assessment questions related to their programs. Extracted responses for each of these three areas are reflected below.

Effectiveness in meeting needs of the population served

Comment: Students enrolled at York River Academy are self-defined as at-risk of not graduating or graduating below their potential. Yet these same students have demonstrated quantitative and qualitative gains in academic, social, familial, and professional achievement. While only two students failed a single core class at York River Academy (versus 46 F's and 41 D's in their last traditional school), the faculty continued to express the same high academic expectations communicated in traditional schools. Indeed, the YRA faculty and student body met the high expectations of "Full Accreditation" based upon adjusted 2004 SOL test scores. Clearly, increases in GPA's are indicative of genuine learning and not "grade inflation". In addition, every student completed service learning projects and was also trained in specific IT industry-approved curriculum. Compared to the significant patterns of failure and under-performance established in their previous traditional school setting, our students have notably improved their lives while attending York River Academy.

Compliance with current charter

Comment: York River Academy has met or is meeting all goals and objectives listed in its charter. Our efforts to meet these goals and objectives have had positive ancillary school rewards: 2003 Award of Excellence from the National School Public Relations Association, 2003 Technology Pathfinder Award, 2004 Excellence in Technology Award from WHRO and the Consortium of Interactive Instruction, and numerous conference presentations (including the National School Board Association, Governor's Education Conference, and Virginia Society for Technology in Education). Parent survey results indicate a significant increase in school satisfaction when compared to opinions about previous traditional school settings.

Progress towards or in achieving goals and objectives of charter

Comment: York River Academy reports having met all of its goals and objectives on schedule or ahead of schedule.

Board of Education Agenda Item

Item: _____ Q. _____

Date: October 28, 2004

Topic: Final Report of the Joint Committee of the Board of Education and Board of Health to Study the Feasibility of Developing a Curriculum for Nutrition and Exercise for K-12

Presenter: Mr. Scott Goodman, Member, Board of Education

Telephone Number: (434) 979-7070

E-Mail Address: ScottCville@aol.com

Origin:

☒ Topic presented for information only (no board action required)

☐ Board review required by

☐ State or federal law or regulation

☐ Board of Education regulation

☐ Other: _____

☐ Action requested at this meeting ☐ Action requested at future meeting: _____ date)

Previous Review/Action:

☐ No previous board review/action

☒ Previous review/action

date April 28-29, 2004

action Interim report presented by Susan Genovese. No action required.

Background Information: Based on an agreement between the Board of Health and the Board of Education, a joint committee was established to study the feasibility of developing an education curriculum for proper nutrition and exercise for students in grades K-12. Students' overall health influences their ability to learn and achieve their full educational potential. The increasing prevalence of childhood obesity and the related health risks has been documented in medical literature and has become a frequently discussed public policy issue. As a result, the Committee also examined the broader issues concerning nutrition and physical activity among K-12 students that could affect the implementation of an educational curriculum.

Summary of Major Elements:

The joint committee's recommendations are as follows:

- 1) **Developing Curriculum** for proper nutrition and physical education should continue to be the responsibility of local school divisions with guidance and technical assistance provided by VDOE with consultation from VDH.

- 2) **Establish State Guidelines** for school divisions to use in developing a Nutrition and Physical Activity Policy at the local level. Goals for the state guidelines and recommendations are detailed in the committee's report.
- 3) **Establish a Mechanism for State Level Evaluations and Technical Assistance.** Recommendations for evaluation and technical assistance are detailed in the committee's report.
- 4) **Continue Collaboration between the Departments of Education and Health** on issues concerning the health of the school age population, with a focus on developing school-based strategies for preventing childhood obesity.

Superintendent's Recommendation: N/A

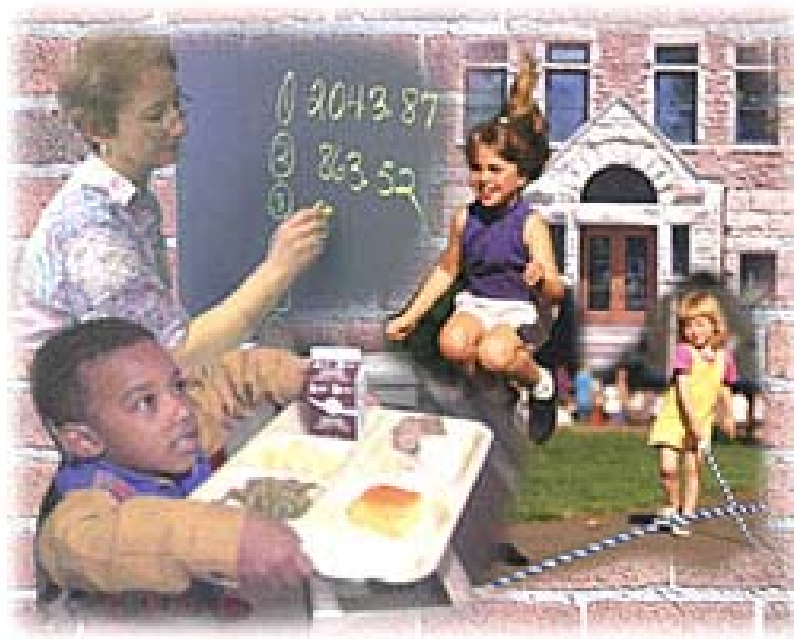
Impact on Resources: Since this is the final report of the Joint Committee, no additional resources will be required to support its work. If the Board decides to implement a specific recommendation from the report, additional costs may result. Those additional costs cannot be determined at this time because they will depend upon the specific actions that are taken.

Timetable for Further Review/Action: This is the final report. No further review or action is required.

FINAL REPORT

COMMITTEE MEETING SEPTEMBER 7, 2004

Joint Committee of the
Board of Education and Board of Health



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Report from the Joint Committee of the Board of Education and the Board of Health

TASK: to study the feasibility of developing an education curriculum for proper nutrition and exercise for students in grades K-12, and to examine a series of broader issues pertaining to the nutrition and physical activity levels of K-12 students.

JOINT COMMITTEE MEMBERS:

CURRENT MEMBERS:

Board of Education –

- Scott Goodman
- David Johnson

Board of Health-

- Julie Beales, MD.
- Dick Grinnan, MD
- Craig Reed, DVM

PAST MEMBERS

Board of Education –

- Susan Genovese

Board of Health-

- Sheila Elliott, Pharm D
- Hunter Gaunt, Jr. MD

BACKGROUND:

- 1) **Obesity and Overweight Among Children** – The prevalence of childhood obesity, a preventable condition, has been documented in the medical literature and is becoming an increasingly frequent public policy issue. Obesity in children is measured using the Body Mass Index (BMI), a calculation of weight based on a child's height, age, and gender. In children, BMI is plotted on a growth chart (Appendix A) that compares an individual's BMI against all other children of the same gender and age. The term 'obese' is usually, not used for children. Instead, children with a BMI at or above the 95th percentile are defined as 'overweight.' Children with a BMI from the 85th to 95th percentile for gender and age are defined as 'at-risk for overweight.' Recent research by the Center for Disease Control and Prevention (CDC) indicates that 15 percent of children and adolescents age 6 – 19 are overweight (i.e., 'obese'). Childhood rates for overweight and at-risk for overweight have nearly tripled in the past thirty years and are continuing to rise. It is estimated that more than 300,000 Virginia children and adolescents, between the ages of 6 and 19, are either overweight or at-risk for overweight. This problem has severe implications for the health and well-being of children and youth living in Virginia. For example, being overweight or obese increases a child's risk of developing coronary artery disease, Type 2 diabetes, and other chronic conditions (even in childhood). If the trend of increasing obesity is not reversed, the gains in life expectancy and quality of life resulting from modern medicine's advances on disease will erode, and more health-related costs will burden the nation's health care system. One recent study has estimated the annual obesity-attributable medical expenses in the U.S. to be \$75 billion, with approximately one-half of those expenses financed by Medicare and Medicaid. This same study estimated Virginia's annual obesity attributable medical expenses to be \$1.6 billion, with \$374 million incurred by the Medicaid population (*Obesity Research*, Vol. 12, No. 1, January 2004). Science and medical professionals now suggest that this may be the first generation in history where parents outlive their children.

Fundamentally, obesity represents an imbalance between energy intake (e.g., caloric intake) and energy output (expended both as physical activity and metabolic activity). According to a March 2004 report by the U.S. Food and Drug Administration (FDA), "For maintenance of a healthy body weight it is the consumption and expenditure of calories that is most important." In other words, to maintain a constant body weight over time, "energy in" from food must equal "energy out" as a result of resting metabolism plus physical activity.

Physically active children have a greater chance of being healthy for a lifetime. The lack of physical activity and appropriate nutrition in children has serious consequences. A school environment that focuses on nutrition education, good nutrition and physical education provides the opportunity for students to make personal choices from healthy food options in the school dining area and throughout the school and for physical activity that is fun. By providing these opportunities, lifestyle choices are taught not only in the classroom, but also in the environment students experience each school day.

In 2003, the Virginia Commission on Youth (COY) published a report on childhood obesity. This report addressed the problem of obesity among children and adolescents in Virginia. In it, they concluded "Because young people spend the majority of their time in schools, educational institutions have a unique opportunity to encourage, motivate and promote healthy choices among school-age children." The COY report further stated, "An investment in health is an investment in better academic performance. When children's basic

nutritional and fitness needs are met, they have the cognitive energy to learn and achieve.” Since the greatest portion of a child’s day is spent in the school environment, schools are in a strong position to impact children’s nutritional and physical activity habits and reduce the proliferation of childhood obesity.

As the recent FDA report stated, the problem of obesity has no single cause. Rather, it is the result of numerous factors acting together over time. Similarly, there will be no single solution; obesity will be brought under control only as a result of numerous, coordinated, complementary efforts from a variety of sectors of society, including the health care system and the educational system. Nor can this problem be solved quickly. Any long-lasting reversal of this phenomenon will itself be a long-term process.

Many national organizations including the National Governors Association (NGA), the U.S. Surgeon General, the Centers for Disease Control and Prevention (CDC), the U.S. Department of Agriculture (USDA), the U.S Food and Drug Administration (FDA), the National Academy of State Health Policy, and the National Association of State Boards of Education have recently examined issues surrounding obesity and overweight, and have offered numerous recommendations and best practices for state policymakers.

The Child Nutrition and WIC Reauthorization Act of 2004, signed into law on June 30, 2004 (PL 108-265) includes important steps to promote comprehensive solutions to child health and nutrition, including provisions to promote nutritional education and physical activity at the State and local level. Section 204 of this public law requires Local Education Agencies (LEA) participating in the school meals programs to establish local wellness policies by 2006 with: (1) goals for nutrition education, physical activity, and other school-based activities; (2) nutrition guidelines for all foods sold on school campus during the school day in order to promote health and reduce obesity; (3) a plan to ensure policy implementation, including designating persons with operational responsibility; (4) involvement of parents, students, and representatives of the local school, school board, school administrators, and public.

- 2) **Curriculum Development** – A well-designed, effective nutrition and physical education educational program of studies is one means of addressing childhood obesity in the schools. Curriculum development for all subject areas has always been the responsibility of local school divisions. To assist school divisions with curriculum development, the Virginia Department of Education (VDOE) provides guidance in the form of Technical Assistance Guides, such as the ones developed for the Physical Education and Health Education Standards of Learning. Additionally, other organizations such as Virginia Action for Healthy Kids (VAFHK), USDA Team Nutrition, Produce for Better Health, and others have developed resources to assist schools in developing specific lesson plans and curriculum related to nutrition, health education and physical education. With the number of resources available, local school divisions have the tools necessary to develop curriculum that promote effective instruction in nutrition and physical education. Many school divisions already have developed such curriculum. Furthermore, the VDOE and Virginia Department of Health (VDH) are also developing a web-based central database of nutrition, health, and physical education resources, educational materials and/or links to the appropriate web sites to serve as a clearinghouse of teaching resources. This central database, preserves precious instructional time that would be lost if teachers needed to search for the resources to plan meaningful lessons on nutrition, health or physical education.

- 3) **Impact of Health Issues on Academic Achievement** – Nutrition and Physical Activity are essential for students to achieve their full academic potential. A healthy school environment is one where nutrition and physical activity are taught and supported in the classroom, the dining room, and throughout the school. This environment provides positive messages that help students develop healthy eating and physical activity habits.

a) **Physical Activity**

Physical activity helps students acquire the knowledge, processes, and skills needed to engage in meaningful physical activity for a lifetime. Participating regularly in physical activity will lead to personal enjoyment, challenge, satisfaction, and health-enhancing level of personal fitness. Physical activity has numerous health benefits including: building and maintaining healthy bones, muscles, and joints; helping to control weight; building lean muscle and reducing fat; preventing or delaying the development of high blood pressure; and reducing the risk of dying from heart disease, colon cancer, and diabetes.

In accordance with the Code of Virginia 22.1-207 Health and Physical Education (H & PE) “...shall be emphasized throughout the public school curriculum by lessons, drills and physical exercise, and all pupils in the public elementary, middle and high school shall receive as part of the educational program such health instruction and physical training as shall be prescribed by the Board of Education and approved by the State Board of Health”

The basic standards for H & PE instruction outlined in § 22.1-253.13.1 state that “Local school boards shall develop and implement a program of instruction for grades K through 12 that emphasizes reading, writing, speaking, mathematical concepts and computations... **health and physical education...**”

The Code of Virginia and the Virginia Administrative Code (VAC) specifically address the requirements for Health and Physical Education and outlines the Board of Education’s Standards of Accreditation (SOA).

- **Elementary grades** --H & PE is required to be taught in the elementary grades of every public school (§ 22.1-200). “Each elementary school shall provide each student a program of instruction which corresponds to the Standards of Learning (SOLs) for English, Math... and **physical education and health**, and shall provide students with a daily recess during the regular school day...” (8VAC 20-131-80)
- **Middle schools** -- “The middle school shall provide each student a program of instruction which corresponds to the SOL for English, Math... In addition each school shall provide instruction in art, music...**physical education and health**, and... (8VAC20-131.90). H & PE is one of four elective courses eighth grade students may take to meet their eight course minimum requirements.
- **High School** – High school students are required to complete two H&PE credits for graduation. (8 VAC 20-131-50)

In Virginia’s public schools, the Physical Education SOLs identify concepts, processes, and skills for physical education in kindergarten through tenth grade (K-10). The intent of physical education is to help students learn the skills necessary for performing a variety of physical activities and understand the benefits of achieving and maintaining a physically active lifestyle. The five strands for physical education SOLs are (1) Skillful Movement, (2) Movement Principles and Concepts, (3) Personal Fitness, (4) Responsible Behaviors, and (5) Physically Active Lifestyle. Standards of Learning in each strand are taught in progression from grade level to grade level.

To achieve the “personal fitness” strand of the SOL, the VDOE has developed protocols for PE teachers to use in fitness testing of students. These protocols are outlined in the Virginia Wellness-Related Fitness Testing (VWRFT) program manual (available on the VDOE web site). The VWRFT is designed to evaluate and provide baseline fitness data for Virginia’s students. The fitness assessment can then be used as a basis for designing a personal, individualized fitness development program for each student. The four major components of the wellness-related fitness test are (1) aerobic capacity (cardio-respiratory endurance), (2) muscular strength and endurance, (3) flexibility, and (4) body composition (i.e. skin fold measurements, or calculation of Body Mass Index [BMI] using a student’s height and weight).

Prior to 1998, the VWRFT was mandatory for all local school divisions. However, as a result of Superintendent’s Memo No. 22 dated May 15, 1998, administration of the VWRFT was made voluntary. Nevertheless, local school divisions have continued to administer the VWRFT as part of their physical education program of study. Although body composition is a vital component of wellness-related fitness, this is not required in the VWRFT due to the sensitive assessment issues surrounding this component. The analysis of body composition is a local option. Students in the 11th and/or 12th grades who elect to take a physical education course will participate in the VWRFT and be tested accordingly.

Until 1998, VDOE collected aggregate physical fitness data from each school. This data was reported on the Outcome Accountability Project (OAP), the precursor of today’s School Performance Report Card. When the new School Performance Report Card was approved by the BOE and implemented (1998), it did not include fitness data. The requirement to report this information to the VDOE was eliminated at that time, however, many schools (~50-60%) continue to voluntarily collect and report this data.

The VDOE has developed a web-based application that is being pilot tested by several local school divisions. This web site allows schools to enter the VWRFT data, generate aggregate data for school fitness profiles, and has the capability of providing a student with an individualized personal fitness assessment along with general educational guidance for improving or enhancing the fitness level. Additionally, this site will also provide aggregate data for the overall school division. A secure password protected system maintains student confidentiality. (See Appendix D).

b) Nutrition

Proper nutrition has a major impact on children’s health, their ability to learn, and their potential for becoming healthy and productive adults. The School Nutrition Programs [National School Lunch Program (NSLP), the School Breakfast Program (SBP), and the Afterschool Snack Program (ASP)] are a crucial part of the educational system. Since the inception of the National School Lunch Program in 1946, its primary goal has been to “.... *Safeguard the health and well-being of our nation’s children*” School meals make an important contribution to the nutrition of school-aged children.

Meals planned under the NSLP and SBP must meet the nutrition standards established by the federal government. These standards are based on the scientifically established Recommended Dietary Allowances (RDA) for calories and key nutrients (protein, calcium, iron, vitamins A & C) for specific age groups and the Dietary Guidelines for Americans.

Studies show that students who eat a school lunch exceed the RDAs for key nutrients, at both lunch and over 24 hours; have substantially lower intakes of added sugars; are more likely to consume vegetables, milk and milk products, meat and other protein-rich foods, and also consume less soda and/or fruit drinks. Students who eat school breakfast have higher intakes of food energy, calcium, phosphorous, and vitamin C. Studies confirm what parents and teachers have said for years - hungry children cannot learn.

Appendix B summarizes the Nutrition Standards for School Meals. These nutrient standards are meant to apply to the overall diet and menu plan over a period of time, not just one food or meal.

All foods and beverages available at school should make a positive contribution to the overall diets of children. Nutritious and appealing foods should be available whenever and wherever food is sold or otherwise offered at school.

Food or beverage items sold in the school cafeteria that are not part of the meals that qualify for federal reimbursement under the NSLP or SBP, are referred to as “a la carte” items. These may be individual menu items (i.e., grilled chicken sandwich) or “snack” items (i.e. cookies). A la carte items must comply with minimum nutrition standards established by state and federal regulations. States may develop standards that exceed the federal standards. In Virginia, a la carte food or beverage items must be a recognized component of the planned menu, or must contain a minimum of 5% of the Reference Daily Intake (RDI), per serving or per 100 calories, of one of eight essential nutrients. The eight nutrients are: iron, protein, calcium, vitamin A, vitamin C, niacin, thiamine or riboflavin. Food and beverage items that do not meet these minimum nutrition standards are considered foods of minimal nutritional value (FMNV) and may not be sold in the cafeteria during the operation of the NSLP and/or SBP.

Foods or beverages sold or otherwise offered to students outside the operation of the NSLP or the SBP are considered “competitive foods” as defined in the federal regulations. (7CFR 210). These include foods and beverages offered in school stores, vending machines, school fundraisers, classroom parties, etc. Currently, no federal or Virginia-specific nutrition standards apply to these items.

Although there are no established nutrition standards covering foods and beverages offered outside of the NSLP or SBP, Virginia regulations do prohibit the sale of FMNV, anywhere in a school from 6:00 A.M. until the end of the scheduled breakfast period and from the beginning of the first scheduled lunch period to the end of the last scheduled lunch period.

Schools influence children’s lifelong eating habits. Establishing nutrition standards for foods and beverages available anywhere on the school campus provides students with a consistent message about healthy eating.

INFORMATION GATHERING: Staff from VDOE and VDH, as well as from local school divisions and local health departments, made a series of presentations during meetings held from January to March. The presentations addressed childhood obesity as a public health concern, and how it can be prevented; federal and state regulations governing the NSLP and SBP; school nutrition standards in Virginia and other states; the curriculum resource development process; current efforts of local school divisions to promote healthy eating and increased physical activity; children's books with positive food and nutrition messages; regulations for health and physical education programs; and physical education staff development.

Many school divisions already acknowledge the importance of proactively addressing nutrition and physical activity and have begun many local initiatives. Appendix C describes local initiatives from a small sampling of school divisions. The Joint Committee was cognizant of these local efforts to promote proper nutrition and physical activity as it developed its own recommendations.

From April to July 2004 the committee met monthly to formulate recommendations and to develop and review this report.

COMMITTEE RECOMMENDATIONS: The information gathered during committee meetings serves as the basis for the recommendations of this committee. A draft report was written, reviewed and revised by the Joint Committee during April through July 2004. This report provides an overview and synopsis of recommendations. Following review and final approval of the Joint Committee's report by the Board of Health (BOH) and Board of Education (BOE), detailed strategies, implementation plans, and timelines will be developed. Recommendations would be presented to school divisions as "Guidelines" for use in developing their local Wellness policies.

The joint committee recognizes and acknowledges that educating students in the sound principles of nutrition, health and physical activity at an early age is essential for them to develop life-long healthful habits that will assist them in becoming productive, self-reliant and healthy citizens. As described in the report from the Virginia Commission on Youth "...*Because young people spend the majority of their time in schools, educational institutions have a unique opportunity to encourage, motivate and promote healthy choices among school-age children*". While food consumption and physical activity at school is only one component of a student's overall dietary intake and physical activity, schools should be the educational model to set the best possible example for children to learn about healthy choices and proper physical activity.

The joint committee's recommendations are as follows:

- 5) **Developing Curriculum** for proper nutrition and physical education should continue to be the responsibility of local school divisions with guidance and technical assistance provided by VDOE with consultation from VDH.
- 6) **Establish State Guidelines** for school divisions to use in developing a Nutrition and Physical Activity Policy at the local level. These state guidelines would establish the following goals for school divisions:
 - a) Integrate nutrition, health and physical education concepts into core curriculum areas such as math, science, history/social studies, and language arts. These concepts would

emphasize physical activities and skills that can be utilized over an individual's lifespan. This would provide students with the foundation upon which to develop lifelong healthy eating and physical activity behaviors.

- b) Strive to provide daily health and physical education.
- c) Evenly divide the percentage of instructional time between health instruction and physical education for all health and physical education courses.
- d) Incorporate physical activity during recess and strive for 30 minutes of daily recess. Recess should not be taken away for disciplinary action.
- e) Incorporate agricultural education programs in schools, within the current SOL framework, such as the USDA funded Farm to School program and school gardening programs.
- f) As part of their role advising school divisions on all facets of coordinated school health, encourage the existing School Health Advisory Boards (SHABs) to establish and report on benchmarks to improve nutrition, health education, and physical activity in their school divisions.
- g) Include and recognize the school nutrition staff as part of the education team and include them in decision-making that affects the school nutrition environment.
- h) Encourage all schools to participate in the federally funded National School Lunch Program (NSLP), the School Breakfast Program (SBP) and the Afterschool Snack Program. (Note: only 1.5% the schools do not participate in the NSLP/SBP representing 6% of the School Divisions)
- i) Schedule all meal periods at appropriate times, and provide adequate time for students to eat meals after having received their food.
- j) Limit fund raising activities to non-food items (or only those food items that meet the established nutrition standards).
- k) Educate family members through active involvement with the Parent-Teacher Associations (PTA), about the role of nutrition and physical activity on student academic achievement. Encourage parents to make a positive contribution by providing healthy food choices for lunches brought from home, and for celebrations and parties.
- l) Encourage school staff to use non-food items as a reward for students.
- m) Actively market and promote healthy eating and physical activity to students, parents, teachers, administrators, and the community with positive, motivating messages throughout the school setting.
- n) Recommend the BOE evaluate the feasibility of requiring physical education daily.

- o) Recommend the aggregate fitness data currently collected by each school be reported to VDOE and incorporated into the School Performance Report Card. The data collection process would follow the Virginia Wellness-Related Fitness Testing protocols already being used in Virginia Public schools as described on page 4. Recommend that measurements of heights and weights be added to this data collection process. (now optional for local schools)
- p) Encourage School Divisions to use the nutrition guidelines as outlined below to develop their local “wellness” policies as required by Public Law 108-265, Section 204 (the Child Nutrition and WIC Reauthorization Act of 2004- see page 2). Alternatively, the nutrition guidelines developed by Virginia Action for Healthy Kids (VAFHK) and previously sent to the Superintendents by Lisa Collis, the First Lady and the honorary chair of VAFHK (Appendix E), may also be used as a template for school divisions to incorporate into their wellness policies.

The nutrition standards should apply to all foods and beverages available anywhere on the school campus. These nutrition standards are intended to supplement federal policies governing the school meals programs (NSLP SBP and ASP) defined by the USDA’s Food and Nutrition Services. The USDA nutrition standards for school meals are grade and age specific, and are explained in detailed in Appendix B.

The nutrition standards should include, as a minimum the following:

- ◆ A variety of nutritious, appealing, and culturally appropriate foods and beverages shall be available to all students. Offering items with lower calorie, fat, and sugar content will contribute to a healthier diet for students in K-12. High calorie, low nutrient items shall be limited by access and/or portion size. Schools shall follow the Dietary Guidelines for Americans (DGA);
 - (1) Offer whole and enriched grain products that are high in fiber, low in added fats and sugars, and served in appropriate portion sizes that are consistent with the current USDA standards.
 - (2) Offer fresh, frozen, canned, or dried fruits and vegetables using healthy food preparation techniques.
 - (3) Offer nonfat, low-fat plain, and/or flavored dairy products (milk, yogurt, cheese) consistent with the current USDA standards.
 - (4) Beverages should contain at least 25% fruit juice with no added sweeteners; soft drinks, sport drinks, punch, other juice drinks containing less than 25% real fruit juice and beverages that contain caffeine (except chocolate milk) and carbonated beverages (including flavored and unflavored sparkling waters) should not be available to students during the school day (6AM until the end of the last instructional period).
 - (5) Snack items and sweets should be limited to those with no more than 300 kcal per item, less than 30% of total calories from fat and 10% of calories from saturated fat (except nuts and seeds); or more than 35% of sugar by weight (except fresh, dried, or canned fruits and vegetables without additional sweeteners).
- ◆ Appendix F contains suggestions for items to be used for snacks
- ◆ Nutrition standards shall apply to all schools, including those schools that do not participate in the National School Lunch or School Breakfast Programs.
- ◆ Responsibility for monitoring compliance with the nutrition standards shall be established

- 7) **Establish a Mechanism for State Level Evaluations and Technical Assistance.** Technical assistance, training and guidance for local school divisions are essential. Monitoring and assessing successful implementation and success in achieving behavioral changes is also important. While the VDOE provides technical assistance and monitoring on a regular basis, strategies for this recommendation must include at a minimum:

a) Technical Assistance

- ◆ DOE, in collaboration and consultation with VDH, shall provide guidance to all school divisions regarding the implementation of the guidelines provided.
- ◆ Develop a Web-based curricula resource for nutrition, health education and physical education to provide a central database to assist teachers. This would offer the same quality of curricula support as is provided for the core instructional subjects.
- ◆ Review and revise, as needed, the Virginia School Health Guidelines to enhance the nutrition and physical activity components. The revised guidelines would continue to reflect the components of the Coordinated School Health Model to ensure a multidisciplinary approach.

b) Assessment

- ◆ Recommend that the Department of Medical Assistance Services analyze Virginia Medicaid data regularly to better estimate Virginia-specific obesity-related health care costs.
- ◆ VDOE, with consultation from VDH, will survey schools twelve months after the issuance of state guidelines (via a Joint Memorandum from the Superintendent of Public Instruction and the State Health Commissioner) to monitor progress toward implementation. The survey will be developed and administered pursuant to an assessment plan to be developed by VDOE with consultation from VDH. Survey findings will be reported to the BOE and BOH within one year of when the recommendations and policies are published and disseminated to the schools. The findings will help determine the next course of action (i.e., policy development, regulatory changes, legislative changes, etc.).

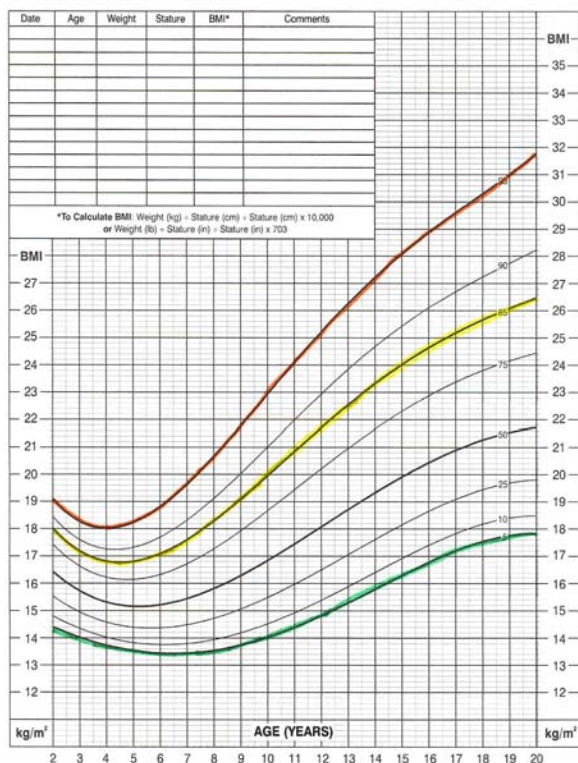
- 8) **Continue Collaboration between the Departments of Education and Health** on issues concerning the health of the school age population, with a focus on developing school-based strategies for preventing childhood obesity. Many of the issues surrounding the nutrition and physical fitness of Virginia's public school students are rather complex, and potentially affect numerous influential stakeholders. The Boards of Health and Education have worked collaboratively in the past. For example, in 1987 the Secretary of Health and Human Resources' Task Force on the Health Needs of School-Age Children recommended that the Board of Health and Board of Education should hold an annual meeting to discuss school health services. The BOH and BOE look forward to continuing to have a close relationship to better the lives of Virginia's children. Collaboration among state agencies is crucial to prevent duplication of efforts and to assure efficient and effective use of limited resources toward a common goal. Collaboration among all disciplines at the local level is also essential.

The following Statewide and local collaborative efforts are recommended:

- a) Continue the Joint Committee beyond 2004 to address ongoing issues related to the health and well being of Virginia's children.

- b) Recommend the establishment of a Governor's Council on Physical Fitness and Sports with an emphasis on encouraging better eating habits and physical activity. The council should incorporate a recognition or incentive program for schools and other community groups that demonstrate best practices in promoting healthy lifestyle changes and obesity prevention.
- c) Encourage schools to consult with local health departments as an additional resource on issues related to nutrition, health education and physical activity.
- d) Encourage schools to collaborate within the school itself to establish multidisciplinary teams and enroll in USDA's 'Team Nutrition' program.

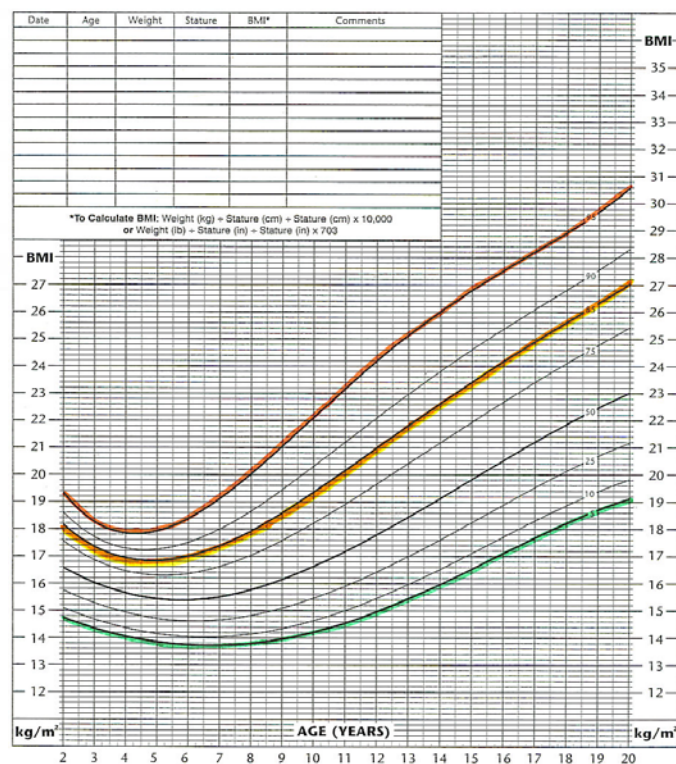
FUTURE ACTIVITIES –The Joint Committee will forward this final report to the full membership of their respective Boards for review and further action.

NAME _____
RECORD # _____

SOURCE: Developed by the National Center for Health Statistics in collaboration with the National Center for Chronic Disease Prevention and Health Promotion (2000). <http://www.cdc.gov/growthcharts>



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NAME _____
RECORD # _____

SOURCE: Developed by the National Center for Health Statistics in collaboration with the National Center for Chronic Disease Prevention and Health Promotion (2000). <http://www.cdc.gov/growthcharts>



APPENDIX B: Overview of Federal Nutrition Standards for School Meals

Federal Regulation 7 CFR 210.10 Establishes specific nutritional goals for breakfast and lunches

1. Establishes targets for calories and specific nutrients by age group.
 - Federal Nutrient standards set target goal for: Calories, Protein, Calcium, Iron, Vitamin A, and Vitamin C.
 - School Lunch meal must meet $\frac{1}{3}$ of the RDA for the specified nutrients
 - School Breakfast must meet $\frac{1}{4}$ of the RDAs
 - Must comply with the Dietary Guidelines for Americans

Required Grade Calorie and Nutrient Levels for School Lunch (school week averages)

	Preschool	Grades K-6	Grades 7-12	Option Grades K-3
Energy Allowances (calories)	517	664	825	633
Total fat (g) ³	17 ¹	22 ¹	28 ¹	21 ¹
Total saturated fat (g) ³	6 ²	7 ²	9 ²	7 ²
Protein (g)	7	10	16	9
Calcium (mg)	267	286	400	267
Iron (mg)	3.3	3.5	4.5	3.3
Vitamin A (RE)	150	224	300	200
Vitamin C (mg)	14	15	18	15

¹Total fat not to exceed 30 percent over a school week. ²Saturated fat not to exceed 10 percent over a school week.

³The grams of fat will vary depending on actual level of calories offered.

Required Grade Calorie and Nutrient Levels for School Breakfast (school week averages)

	Preschool	Grades K-12	Option Grades 7-12
Energy Allowances (calories)	388	554	618
Total fat (g) ³	13 ¹	18 ¹	21 ¹
Total saturated fat (g) ³	4 ²	6 ²	7 ²
Protein (g)	5	10	12
Calcium (mg)	200	257	300
Iron (mg)	2.5	3.0	3.4
Vitamin A (RE)	113	197	225
Vitamin C (mg)	11	13	14

¹Total fat not to exceed 30 percent over a school week. ²Saturated fat not to exceed 10 percent over a school week. ³The grams of fat will vary depending on actual level of calories offered.

Report from the Joint Committee of the Board of Education and the Board of Health

APPENDIX C: School-Based Activities to Address Childhood Obesity for School Year 2003-04

Albemarle County

Physical Activity Initiatives

Cycling: Greer Elementary, Baker-Butler Elementary. Both schools received a set of grant-funded bicycles, helmets, and storage shed to incorporate cycling and bike safety into the PE curriculum.

Individual Fitness: Greer Elementary conducted a series of exercise challenges throughout the school year including Families in Training (FIT) for students/families and Jump Rope for Heart. The same school conducted a bike safety awareness and bike rodeo coordinated by PE teachers.

Pedometers: B.F. Yancey Elementary School implemented an exercise challenge using pedometers. The entire school population walked and monitored accumulated mileage during PE class every Friday - the class that accumulated the highest number of miles each week received incentives. Overall, students walked a total 1045 miles, increasing their average mileage by 6% between November and February.

This school year, Agnor-Hurt Elementary PE teachers have students wear their pedometers during select activities and record the number of steps they take. Their goal is to increase average number of steps taken by an average of 10% over their baseline.

Nutrition Initiatives

Fruits & Vegetables. B.F. Yancey Elementary School held a 5-month long fruit and vegetable snack challenge during which 91% of the student body participated. 50% of students ate a fresh fruit or vegetable snack at least two-thirds of the school days over the five-month period. To support effort, the school division's Child Nutrition Program sold fresh fruit and bags of mini-carrots for \$.25, a price that is less than other snack items for sale.

At Greer Elementary School, 28% of the student body participated in the school-wide "5-a-Day" challenge. Among participants, 81% met the goal of eating five daily servings of fruit, vegetables or 100% fruit juice for at least ten out of 17 days. To support efforts, the school division's Child Nutrition Program offered free samples of different fresh fruits and vegetables in the cafeteria. Fresh fruits and bags of mini-carrots were sold at cost on the a la carte line (i.e., \$.25 each or lower cost than other snack items). A large percentage of students receive free and reduced lunches.

Low-Fat Milk. Virginia L. Murray Elementary, B.F. Yancey Elementary, Stone-Robinson Elementary, & Agnor-Hurt Elementary. Low-fat milk challenges have been conducted in four elementary schools. All schools preceded their milk challenges with a milk promotions, e.g. students participated in "blind" milk taste-tests; students and faculty had their "milk moustache" photos posted in the cafeteria.

Virginia L. Murray Elementary School saw an overall decline in the percentage of whole and 2% milk units sold from 27.9% in May 2002 to 15.2% in May 2003 and an increase in skim/1% (unflavored) milk from 15.8% in May 2002 to 28% in May 2003.

B.F. Yancey Elementary School saw a decline in the percentage of whole/2% milk units sold from 48.7% in May 2002 to 35.4% in May 2003 and an increase in sales of skim/1% (unflavored) milk from 0% to 14.2%.

Data for Stone-Robinson and Agnor-Hurt Elementary Schools is still being collected; challenges are being implemented this school year.

Report from the Joint Committee of the Board of Education and the Board of Health

APPENDIX C: School-Based Activities to Address Childhood Obesity for School Year 2003-04

Vending machines. System-wide approach. A representative of the Childhood Obesity Task Force was appointed to a committee to develop guidelines for vending machine contents accessible to high school students. The final recommendations were to:

- 1) Limit vending sales of soda and foods of minimal nutritive value (i.e., candies) until after the last class period;
- 2) Competitively price all vending fruit drinks so that those with less fruit juice content cost more;
- 3) Make bottled water available all hours of the day.

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Alexandria City

Physical Activity Initiatives

After school walking clubs. Two elementary schools were funded to create after school walking clubs. One school's club, Fitness Finders, ran for 8 weeks with over 100 students consistently attended. The average mileage per day was 1 mile. One school's, Feelin' Good Mileage Club, attracted around 50 students for two 8 week periods (Fall and Spring). They expanded the club to include recess time after lunch. The hallway to the cafeteria was lined with posters where each classroom could chart their progress.

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rachael.kennedy@vdh.virginia.gov
(703) 838-4400 X271

Cycling. Bike Smart Hammond! training for 6-8th graders. In 2002-2003, over 300 6th-8th-grade students received the 3-week training at one school. This year the program is being expanded to include the other middle school, the ninth grade center and high school.

Contact: Rachael Kennedy
Alexandria Health District
rachael.kennedy@vdh.virginia.gov
(703) 838-4400 X271

Pedometers: John Adams Elementary 4th Grade. Use Pedometers to create the 4th grade "Stepping into Health, Stepping into Virginia" pedometer challenge integrated with Virginia Studies SOLs. The basics of the challenge are:

- each student puts on a pedometer at the beginning of P.E. class
- students participate in planned physical activities
- at the end of the class, they note the step count on their pedometers and report their count to their group leaders (the students are in groups of 4-5)
- group leaders then use calculators and a conversion formula to determine the total number of steps and then the total number of "miles" (1 actual mile = 10 "map" miles).

The goal of the challenge is twofold. First, it gives students a tangible fitness goal. Second, as they accumulate "map" miles, they travel around the state of Virginia on a predetermined route, which takes them through such

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historic and important stops as Richmond, Jamestown, Winchester, Arlington and Alexander. As they reach each stop on the route, they must correctly answer questions related to that stop before they can move forward.

Between May, 2002 and May, 2003, 4th grade Virginia Studies SOL test scores went from 48% passing to 90% passing. We are convinced that support outside the "regular" classroom like Ms. Rodgers's Pedometer Challenge has helped us reach that accreditation goal.

3rd Grade. Use pedometers to incorporate skills into the P.E. lessons with numbers and measurement.

1st Grade. Integrates P.E. instruction with math and science. For example, students acted out large geometric forms when they were studying shapes.

Kindergarten. Inclusive P.E. program for kindergarten students with developmental delays. Students now have better comprehension of direction and are able to follow specific verbal tasks. They can participate and feel proud of their achievements.

Role Model for Staff & Parents. Encourages exercise by providing workshops, movement ideas from brain research, cross-curricular activities for teacher, and ideas to foster families to be more active at home.

Contact: April Rodgers, PE
Stacy Hoeflich, 4th Grade Teacher
Stacey Smouse, 3rd Grade Teacher
Hilari Hinnant, 1st Grade Teacher
Cynthia Wynne, Kindergarten Teacher

Safe Routes To School. The health department and volunteers conducted 118 walking audits around all public schools during June-July 2003, a multi-agency steering committee created a plan to address crosswalk and sidewalk concerns. A resource book for teachers was created and funds for pedestrian/bicycling safety education will be given to five schools. A community coalition is in place. Due to work in this arena, the city has agreed to engage in a pedestrian safety media campaign along with other DC area governments.

Contact: Rachael Kennedy
Alexandria Health District
rachael.kennedy@vdh.virginia.gov
(703) 838-4400 X271

Walk to School. A one hour pedestrian and bicycle safety assembly was held the day before the walk. Students learned safety songs/poems in class and presented at assembly. Others performed safety skits.

Walk to School Day hosted by St. Mary's Catholic School. Safety assembly held with all 4th and 5th graders during P.E. class, followed by walking audits conducted around the school area.

Contact: Rachael Kennedy
Alexandria Health District
rachael.kennedy@vdh.virginia.gov
(703) 838-4400 X271

Nutrition Initiatives

Eat Smart, Play Hard! In 2002-2003 Food service managers attended a Childhood Obesity Workshop and from that created plans for addressing the issue. Changes to a la carte offering were made, recipes were changed to decrease fat, cafeteria's developed nutrition education centers, new posters & health messages were placed in cafeterias & nurses offices, nutrition messages were placed on send home menus, literature was mailed to parents of

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children participating in the school lunch program, food service staff attended workshop on heart health (worksites wellness). Currently in 2003-04 Breakfast menu has been altered to remove less nutritious items, vegetarian items have been added to lunch menus, schools are only ordering 2% white & chocolate milk (no whole milk), & a greater variety of fruits are being offered along with taste testings.

Contact: Rachael Kennedy
Alexandria Health District
rachael.kennedy@vdh.virginia.gov
(703) 838-4400 X271

Combined Physical Activity & Nutrition Initiative

Health education. Health educators have partnered with one elementary school and two community organizations to conduct nutrition and physical fitness classes during after school sessions with students. In 2002-03, 11 classes were taught affecting around 70 students ranging from elementary to high school.

Contact: Rachael Kennedy
Alexandria Health District
rachael.kennedy@vdh.virginia.gov
(703) 838-4400 X271

Arlington County

Physical Activity Initiatives

Walk Smart, Virginia! Students in K-12 participated in this pedometer program to encourage students to be more physically active.

Contact: Deborah DeFranco
ddefranc@arlington.k12.va.us

Nutrition Initiatives

Developed Guidelines for Healthy Food Choices listing healthy, nutritious snacks for children and adults.

Food Services held taste tests for various groups to determine students' reaction to new food items incorporating healthier foods.

Developed and displayed posters of staff eating healthy foods to model good behavior.

Contact: Deborah DeFranco
ddefranc@arlington.k12.va.us

Combined Physical Activity & Nutrition Initiatives

Are revising Health & Physical Education curriculum to align with the Virginia Health & Physical Education Standards of Learning.

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Conducted Healthy Eating-Healthy Activity workshops with County Council PTAs, Student Advisory Board, and Teen Network.

Contact: Deborah DeFranco
ddefranc@arlington.k12.va.us

Augusta County

Combined Physical Activity & Nutrition Initiatives

Healthy Eating & Fitness Program Targeting Fourth and Fifth Graders. In school year 2004-2005, approximately 1400 fourth and fifth grade students at three elementary schools in Augusta County will participate in a six week in-school program focused on increasing physical activity and promoting health foods choices.

Students will be given a pedometer that will measure the number of steps taken each day. Data will be obtained from these pedometers to verify increases in activity. A pre and post survey related to eating and fitness habits will be administered to students to assess changes in these behaviors.

Contact: Melissa Janes, Nutrition Program Supervisor
Central Shenandoah Health District
Melissa.Janes@vdh.virginia.gov

Buchanan County

Physical Activity Initiatives

Health Department program targets 4 & 5 grade students to promote importance of staying physically active outside of school. Goal is to increase physical activity 15 minutes a day, 6 days a week. Participants receive small incentives to participate and information is shared with families.

Contact: Toby Cook, Nurse Manager
Lenowisco Health District
toby.cook@vdh.virginia.gov

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Charlottesville City

Physical Activity Initiatives

After-School Physical Activities. Buford Middle. We also began organized physical activities after school. The after-school activities are well attended and buses provide a ride home. The result is a happier, healthier, less stressed academic environment. All of our test scores went up this year, and I believe that these changes had a part in it.

Contact: Tim Flynn, Principal
(434) 245-2411

Cycling: Multiple elementary schools. Grant funds were used to acquire a set of bicycles, helmets, and a mobile storage unit. All elementary PE teachers received bike safety training to assure that cycling is incorporated into the PE curriculum in all Charlottesville City elementary schools.

Contact: Peggy Paviour
Thomas Jefferson Health District
peggy.paviour@vdh.virginia.gov

Pedometers Charlottesville's Walker Upper Elementary students wear pedometers during their circuit training every other week in PE; students record number of steps taken with a goal of increasing number of steps by an average of 10% over their baseline.

Contact: Peggy Paviour
Thomas Jefferson Health District
peggy.paviour@vdh.virginia.gov

Safe Routes to School: Greenbrier Elementary piloted a program to encourage walking/cycling to school in spring 2003 and resulted in several students walking or cycling to school every Wednesday. This year, the school continues its emphasis on walking to school and walking in general using pedometers.

Burnley-Moran Elementary school celebrated International Walk to School Day in October 2003 resulting in the decision to hold school-wide Walking Fridays held once a month. On those days, children either walk to school or take a walk around the track once they arrive at school in the morning. They receive a fruit snack when they get to class.

Contact: Peggy Paviour
Thomas Jefferson Health District
peggy.paviour@vdh.virginia.gov

Scheduling Changes to Increase Physical Activity. Buford Middle. Last year's schedule was also changed to include a mid-morning activity break and the gym was opened up for free physical activity during both lunch periods-a longer lunch with activity time included. Most kids are active; there are many choices with more to come.

Contact: Tim Flynn, Principal
(434) 245-2411

Walking Challenge: Greenbrier Elementary. The Physical Education teacher challenged students and staff to walk around the track during recess and gym class. Classes that completed laps earned stars that were recorded on a large poster.

Contact: Peggy Paviour
Thomas Jefferson Health District
peggy.paviour@vdh.virginia.gov

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Nutrition Initiatives

Healthy Snack Pyramid Handouts: System-wide program. Healthy Snack Pyramid handouts created for K-10 were distributed to parents of all students in grades K-6 and to students through health classes in grades 7-10 in all Charlottesville City Schools.

Contact: Peggy Paviour

Thomas Jefferson Health District
peggy.paviour@vdh.virginia.gov

Nutrition Education: Multiple schools. Volunteer community nutritionists and health educators provided nutrition education to all sixth graders at Walker Elementary School in Charlottesville during their Physical Education periods.

Buford Middle School in Charlottesville provided an after-school cooking/conversion class by the Home and Life Studies teacher during which snacks and favorite meals were recreated in low-fat, low-calorie versions.

Several schools have taken advantage of the Virginia Cooperative Extension's *Smart Choices* nutrition program, facilitated by a trained extension agent, to teach elementary school students basic nutrition concepts.

Contact: Peggy Paviour

Thomas Jefferson Health District
peggy.paviour@vdh.virginia.gov

Salad Bar. Buford Middle. Alicia Cost, our new Nutrition Services Director, has done an incredible job of changing lunches, including a salad bar that is more popular than they imagined. I truly believe that the collaborative effort with the COTF, which increased community support, was a key factor in the results.

Contact: Tim Flynn, Principal
(434) 245-2411

Snack Bars. Buford Middle. The school snack bar has been revamped to include baked and healthier choices and a "Buy Baked" campaign at the end of the year resulted in the local Childhood Obesity Task Force buying students a climbing wall that was installed. The COTF also purchased equipment for our students to play with during lunchtime.

Contact: Tim Flynn, Principal
(434) 245-2411

Combined Physical Activity & Nutrition Initiative

Working with Overweight Children: Burnley-Moran Elementary & Walker Upper Elementary. Schools established clubs to encourage identified overweight children to learn about and practice healthy eating and physical activity. Guidance counselors lead both groups of students with support and technical assistance from the Childhood Obesity Task Force nutritionists.

Contact: Peggy Paviour

Thomas Jefferson Health District
peggy.paviour@vdh.virginia.gov

Assessment

Assessment. System-wide. Using the CDC's "School Health Index," the School Health Advisory Board is assessing physical education and policies that impact physical activity in all Charlottesville City schools. Results of the assessment are being used to generate recommendations to be presented to the School Board.

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Contact: Peggy Paviour
Thomas Jefferson Health District
peggy.paviour@vdh.virginia.gov

Chesterfield County

Physical Activity Initiatives

Cycling. Implemented a grant-funded biking unit with her students.

Contact: Lynne Bennett
Chesterfield County Public Schools
lynne_bennett@ccpsnet.net

Family Fitness. Chesterfield County has approx. 20-25 schools that organize a family fitness night for the families in their schools. This initiative is sponsored by Chesterfield County PTA organizations. The event themes and opportunities vary depending on location. The goal of family fitness nights is to increase awareness of the importance of an active, healthy lifestyle for Chesterfield county families.

Contact: Lynn Bennett
System-wide
lynne_bennett@ccpsnet.net

5-Day P.E. Five-day a week P.E. program for 5th grade classes. Found a correlation between this program and increased test scores.

Contact: Lynne Bennett
Chesterfield County Public Schools
lynne_bennett@ccpsnet.net

Inclusion. Designed fitness testing strategies and materials for children with varying degrees of disabilities. One program last year included a trip to the Richmond Raceway to see qualifiers for the NASCAR race.

Contact: Shawn Martin
Salem Middle School
(804) 768-6225

Running Clubs. Many of elementary PE teachers organize running clubs either before or after school to give students an opportunity for achievement, increased activity, and increased self-esteem. Before school running club, mile club, gymnastics. Special clubs, teams, enrichment activities during PE classes - jump rope club, mile club, gymnastics team, enrichment classes in gymnastics; hoop it up, bike for the bay day, jump rope for heart, movement to music, & bike safety lessons

Contact: Lynn Bennett
System-wide
lynne_bennett@ccpsnet.net

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Assessment

Data Collection. Provide height/weight screening including the calculation of Body Mass Index-for-age on students in kindergarten, third, seventh and tenth grade. Ht/wt screening is incorporated with health screenings. Screening program includes a parent referral process where parents of students with abnormal results are notified. Parent referral process includes the provision of educational information on nutrition, physical activity, and health risks of not maintaining a healthy weight. Program has served to provide education and increase community awareness of childhood overweight, as well as establish a baseline at the local level of the prevalence of overweight and at risk of overweight.

Contact: Jody Enoch
Chesterfield County Health Department
jody.enoch@vdh.virginia.gov

Community-Based Initiatives

Community Collaborations. Chesterfield Coalition for Active Children (COACH), a community partnership, is focusing on improving children's health by encouraging better nutrition and increased physical activity. Membership includes individuals from public and private organizations representing health, education, fitness and nutrition professionals, concerned parents and community and business leaders. In April, 2004 sponsored and organized a very successful activity fair, Spring into Action Family Festival at a local elementary school.

Contact: Lynne Bennett
Chesterfield County Public Schools
lynne_bennett@ccpsnet.net

Danville City

Physical Activity Initiatives

Cardiovascular Health Course: E.A. Gibson Middle. Developed 22-hour "Heart Smart" cardiovascular health course for 6th graders taught during schools hours. Includes a family component.

Contact: Kathryn Plumb,
Nurse Manager, Pittsylvania/Danville Health District
(434) 799-5190

Dickinson County

Physical Activity Initiatives

Health Department program targets 4 & 5 grade students to promote importance of staying physically active outside of school. Goal is to increase physical activity 15 minutes a day, 6 days a week. Participants receive small incentives to participate and information is shared with families.

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Contact: Toby Cook, Nurse Manager
Lenowisco Health District
toby.cook@vdh.virginia.gov

Fairfax County

Combined Physical Activity & Nutrition Initiatives

Fitness Challenge. Classroom activities include nutrition facts, finding your way to fitness, popular forms of exercise, puzzles, exercise pyramid, exercise log. K-6 lesson plans were developed and taught simultaneously with the Fitness Challenge on the following topics: Give me Five! Colors that Jive!; Healthy Snacks; Food Guide and EZ Bear Exercise Pyramid; Food Labels; and Kids Cooking. Each lesson linked the nutrition messages to the physical activity challenge.

Contact: Penny McConnell
Director, School Nutrition Programs
Penny.mcconnell@fcps.edu

Fauquier County

Physical Activity Initiatives

Activity for Life. Purchased climbing wall with school & PTA funds.

Contact: Rodney Madden, H&PE Teacher
Grace Miller Elementary School

Franklin County

Combined Physical Activity & Nutrition Initiatives

5th Walk for Life. 5th grade students at Burnt Chimney Elementary School participated in a walking program using pedometers. Students are 'walking' across the United States. Also promoted making healthy snack choices at home and school. Cafeteria staff replaced cookies, ice cream, and high sugar fruit drinks with healthier choices including yogurt, 100% fruit drinks, fruit choices, carrots, and other healthier choices.

Staff Wellness Burnt Chimney Elementary School gave pedometers to all staff members. Twenty staff members participated in a weight loss program that stressed change of diet and increased physical activity. Over a two-month period, the group lost 225 pounds.

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Contact: Jason Guilliams
jguilliams@frco.k12.va.us

Goochland County

Physical Activity Initiatives

Physical Education Classes: Goochland High School. Developed new P.E. electives:

- 1) Outdoor Games
- 2) Women's Health & Fitness

Contact: Wes Farkas, PE Teacher
Amy Henneberger, PE Teacher

Nutrition Initiatives

A la Carte Lines. System-wide. Offer whole grain items and healthier options in the a la carte lines.

Contact: David Price, Food Service Director

Breakfast. Celebrated National School Breakfast Week. (Christy)

Contact: Christy Mason
Christy.mason@vdh.virginia.gov

5 a Day. Promoted during National School Lunch Week. (2nd week in October)

Contact: Christy Mason
Christy.mason@vdh.virginia.gov

Vending Machines. Removed all "snack" vending machines. Changed beverage vending machines to include water and 100% juice choices.

Contact: Christy Mason
Christy.mason@vdh.virginia.gov

Staff Wellness

Staff Wellness: System-wide. Implemented staff wellness program. 5 A Day Challenge. Walking event during National Employee Health & Fitness day.

Contact: Christy Mason
Christy.mason@vdh.virginia.gov

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Hampton City

Physical Activity Initiatives

Pedometers. Incorporated Digwalkers into PE classes.

Contact: Judy Lucas
Hampton High School

Hanover County

Physical Activity Initiatives

Running. Cool Spring Elementary. Competition between 3rd, 4th, & 5th grade Social Studies classes. 3rd grade students study Greece and Rome; 4th grade students study Virginia geography and history; & 5th grade students study U.S. geography and history. To increase cardio-respiratory endurance, students jogged or ran a quarter mile track. For every lap, students were awarded one mile toward their destination. Greece and Rome, Virginia, and U.S. maps were displayed on foam board. Destinations and mileage were listed. Each class had their own flag. At the end of the week, the classroom teacher e-mailed the total number of laps that the class ran or jogged and each class flag was moved toward the final destination. Students were so excited they decided not only to run to their destination but back!

Contact: Renee Blackwell

Walking Program. Person's Corner Elementary. The PTA sponsored a Family Fitness Night that included a presentation from the health department and the physical education teacher at the school along with activities for children and adults. A walking challenge with incentives was introduced. Educational materials and tracking forms for the walking program were distributed to families.

Contact: Lauri Savage
Hanover County Health Department
lauri.savage@vdh.virginia.gov

Assessment

Data Collection. Hanover's Cardiovascular Health Project is collaborating with the School Health Advisory Board to compile data on students' body mass index. Students in grades K, 3, 5, 7 and 10 participated in height/weight screenings. The BMI information will be presented in aggregate form to establish baseline data, identify areas of greatest need and suggest future programming.

Contact: Lauri Savage
Hanover County Health Department
lauri.savage@vdh.virginia.gov

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Henrico County

Physical Activity Initiatives

Activity for Life. Curriculum for fishing, walking poles, cooperatives, and bouldering wall. Also includes mountain biking, rollerblading, and fishing trips.

Contact: Bonnie Conner-Gray
Brookland Middle School

Adaptive P.E. Special program for adaptive students in summer H/P.E. 9, 10 to take students nightly (twice weekly for two hours) to the Tuckahoe YMCA to individualize swimming exercise and conditioning as a part of course completion for medically restricted students needing the physical education component of H/P.E.

Contact: Bonnie Conner-Gray
Pocahontas Middle School

Advanced P.E. Advanced PE class at Hermitage High School for juniors & seniors. Course began 3 years ago with about 40 students. This year, over 130 students signed up to take it. Over the past four years, 25 students from this class have received athletic scholarships in sports. The course covers general fitness concepts, muscular anatomy, fundamental strength training, biomechanical sport analysis, sports nutrition, and advanced strength training. The goal is to teach the students in the class the "why" and "how" of fitness and strength training.

Contact: Kelly Guempel
ksguemp@henrico.k12.va.us
Hermitage High School

Aquatics. The system-wide 5th grade aquatics program through the schools and YMCA is a great success story. We now have 30 of the 43 elementary schools completing this curriculum, which culminates in a day-long field trip to area YMCAs.

Contact: Bonnie Conner-Gray
System-wide

Pedometers. Pedometers will be distributed to all middle and high school H/P.E. sites in Henrico schools to be used by classroom teachers as well as P.E. classes to promote daily increases in physical activity. Elementary students in grades 4,5 use them as well.

Contact: Bonnie Conner-Gray
System-wide

Program for Overweight Students. Uses Nordic Walking Poles and a fitness club targeting overweight kids who walk in the mornings before school and meet to discuss healthy topics.

Contact: Bonnie Conner-Gray
Johnson Elementary
Crestview Elementary

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Walking Program. Highland-Springs Elementary School started an after school walking club for overweight 5th grade girls. The program uses pedometers, aerobics, healthy snacks, and making wise lifestyle choices.

Contact: Lucy Trott
lhtrott@henrico.k12.va.us

Community-Based Initiatives

Marathon. The Richmond Sports Backers, Times Dispatch, Hanover, Chesterfield, and Henrico schools will promote the .02 mile run event at the Richmond Marathon finish line on Nov.15. Students participate in accumulating 26 daily physical activities charted on a form that leads them to the marathon 26 mile run event date. Schools helped to design the chart which students may use in P.E. or at home to accumulate the physical activity days and option to sign up for the .02 run event.

Contact: Bonnie Conner-Gray

Lee County

Physical Activity & Nutrition Initiatives

Heart Healthy Choice. Collaborated with Virginia Cooperative Extension and the Department of Health to provide themed activities to support healthy life style changes through nutrition and physical activity. The cafeteria staff offered a variety of healthy choices for meal items including foods that were baked or broiled, not fried, vegetables, fruits, salad bar, water, and juice. St. Charles Elementary School integrated nutritional curricula in science, health, and PE classes.

Contact: Margaret Martin Fred Marion, School Nutrition
mmartin@leectysch.com fmarion@leectysch.com

Montgomery County

Community Event

Family Fun and Fitness Night. Provided a variety of physical activity events to participants. Parents, teachers, and students moved from activity to activity and received points to participate. During the event, they served healthy snacks and drinks.

Contact: Susan Miller
smiller@mail.mcps.org

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Pittsylvania County

Physical Activity Initiatives

Cardiovascular Health Course: Gretna Middle, Chatham Middle, & Gibson Middle. Developed 22-hour “Heart Smart” cardiovascular health course for 6th graders taught as an after school program. Course was developed to impact the health of students and their families. Developed in partnership with DRchip program

Contact: Kathryn Plumb, Nurse Manager, Pittsylvania/Danville Health District
(434) 799-5190

Physical Activity Challenges. Month long program called "Survivor" with 5th graders. Each 5th grade class is divided into 2 teams and each P.E. day, there is a survivor challenge. The winner of the challenge gets to cast a vote against another tribe and the winner gets immunity - which means they cannot be voted against until they lose a challenge. The challenges are physical and mental. Some test strength, endurance, sports skills, while other challenges are mental, testing their core SOL knowledge. At the end, the 2 tribes with the least amount of votes against them compete in a final challenge for the ultimate survivor. Survivor promotes teamwork and cooperation and is just plain fun!

Contact: Rachel Parks
rparks@henry.k12.va.us

Running. Run America Program with 4th and 5th graders. Each state is worth a certain # of laps around the baseball field. When a class comes to P.E., they decide which state they want to buy and the entire class goes out and jogs that many laps around the field. Then, that state is theirs. When all states are bought up, we add up the total # of laps each class has run and the winner gets a prize. This really helps them get in shape for their Mile Run and is a huge success.

Contact: Rachel Parks
rparks@henry.k12.va.us

Walking Path. Westwood Middle School. Administration allows students & staff to walk during homeroom period.

Contact: Kathryn Plumb, Nurse Manager, Pittsylvania/Danville Health District
(434) 799-5190

Walking Trails: All middle schools. Established walking trails for student and community.

Contact: Kathryn Plumb, Nurse Manager, Pittsylvania/Danville Health District
(434) 799-5190

Nutrition Initiatives

Healthy Snacks. W. Townes Lea. Promote 1 fruit each Friday over PA system & in parent newsletter to bring that snack the following week. Use 5 A Day fruit coloring sheets

Contact: Kathryn Plumb, Nurse Manager, Pittsylvania/Danville Health District
(434) 799-5190

Vending Machine Changes. Westwood Middle School. Offer milk Vending machines

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Contact: Kathryn Plumb, Nurse Manager, Pittsylvania/Danville Health District(434) 799-5190
Joan Yates, Director School Nutrition

Water Bottles. Tunstall High School. Allows water bottles in classroom

Contact: Kathryn Plumb, Nurse Manager, Pittsylvania/Danville Health District
(434) 799-5190

Prince William

Nutrition Initiatives

For the past two years, students are only able to purchase juice from vending machines in Bull Run Middle School. No foods or snacks are sold in the school store. The principal also extended lunch to 30 minutes this year. The school celebrated National Nutrition Week by trying new foods and integrating 5-A-Day principles. The school also provides monthly nutrition tips in the schools newsletter sent to parents/guardians.

Contact: Jim Rumble, RD
rumplejc@pwcs.edu

Richmond City

Physical Activity Initiatives

Generation Fit/Fit 2 Bee. A collaborative effort between the American Cancer Society, Richmond City Parks, Recreation and Community Facilities' After School Program, and Virginia Cooperative Extension. The groups met for one hour, one day a week for six weeks. Three weeks were dedicated to nutrition and healthy eating (provided by Virginia Cooperative Extension) and three weeks were dedicated to physical activity (provided by local health clubs and yoga centers). The project was conducted at Fairfield Court Elementary School and Patrick Henry Elementary School.

Contact: Rita W. Miller
Mission Collaboration Manager VA
American Cancer Society
Rita.W.Miller@cancer.org

Happy Hearts Program. Provides nutrition education & promotes physical activity for John C. Carey Elementary School students.

Contact: George Jones
(804) 646-3137
jonesgw@ci.richmond.va.us

Rock Richmond. Free after school programs offered 5 days a week at middle schools. Includes aerobic exercises & nutrition education.

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Contact: George Jones
(804) 646-3137
jonesgw@ci.richmond.va.us

Walking Trails: Restored Hickory Hills walking trail. Built Oakwood trail & installed children's playground.

Contact: George Jones
(804) 646-3137
jonesgw@ci.richmond.va.us

Combined Physical Activity & Nutrition Initiative

Obesity. You Can Do It program for obese or overweight children.

Contact: George Jones
(804) 646-3137
jonesgw@ci.richmond.va.us

Roanoke City

Physical Activity Initiatives

Carol White PEP Grant. Roanoke City purchased technology-based equipment to help students assess fitness levels. They also purchased pedometers, mountain bikes, and play stations and dance programs to encourage greater aerobic development. All secondary staff received several sessions of training about the new equipment as well as new activities that could be implemented in their physical education programs. They are making a concerted effort to "get the students' moving through more non-traditional physical education programs.

Contact: Kathy Tucker
kctucker@aol.com

Nutrition Initiatives

Roanoke City also changed the offerings in their drink machines and has requested healthy products for their snack machines. Only water, fruit juice, and 'Powerade' are sold in the high school drink machines. The cafeteria is selling flavored reduced fat milk. The food service department is discussing how they can offer more salads, fresh fruit, whole wheat bread, etc. They plan to have new contracts in place for the 2004-05 school year with drink and snack vendors requesting only healthy options for the students.

Contact: Tom Powers, director School Nutrition Programs tpowers@roanoke.k12.va.us
Kathy Tucker
kctucker@aol.com

Rockingham County

Physical Activity Initiatives

Students at Turner Ashby High School use digiwalkers daily and record their activity into their fitness portfolio. Each student calculates exercise totals and intensity levels and makes a PowerPoint presentation of their workout program.

Contact: Cindy Ferek
cferek@rockingham.k12.va.us

Russell County

Physical Activity Initiatives

Health Department program targets 4 & 5 grade students to promote importance of staying physically active outside of school. Goal is to increase physical activity 15 minutes a day, 6 days a week. Participants receive small incentives to participate and information is shared with families.

Contact: Toby Cook, Nurse Manager
Lenowisco Health District
toby.cook@vdh.virginia.gov

Salem City

Physical Activity Initiatives

Swimming: Established swim program with YMCA for 2nd grade students. Includes water instruction and classroom participation at the YMCA.

Contact: S. Hill
All elementary schools

Shenandoah County

Physical Activity Initiatives

5-Day P.E. Students participate in physical education 5 days a week. (compared to 2-3 times a week at many schools). The State of Virginia would like schools to place an emphasis on three major areas of physical fitness: Cardiovascular, Flexibility, and Strength. Our students participate in all 3 areas everyday before they can participate in any specific game or recreational skills. We stretch, run, and work on back, stomach, arm and leg strength daily. This is a rigorous program but the students like the predictability and work ethic. Our state physical fitness test scores are outstanding year after year. At different times of the year, our classes perform on step aerobics activities.

Report from the Joint Committee of the Board of Education and the Board of Health

APPENDIX C: School-Based Activities to Address Childhood Obesity for School Year 2003-04

The regular education teachers see the academic and health benefits of students having physical exercise daily and encourage the necessary scheduling for this to happen for every child in the building. All 470 students, grades 6-8 participate in our physical education classes daily.

There is a correlation between fitness and academic efficiency. Academically we have been:

- Fully Accredited three consecutive years by the Virginia Dept. of Education on SOL testing;
- Fully Accredited by the Southern Association of Colleges and Schools; and Received AYP according to the standards for No Child Left Behind.

Contact: Charles F. Everett, Principal
cfeverett@shenandoah.k12.va.us
(540) 465-3422
Signal Knob Middle School

Smyth County

Nutrition Initiatives

In August 2003, the School Division removed all soft drinks and beverages containing less than 25% fruit juice from all drink machines to which students have access.

Contact: Jim Sullivan
jimsullivan@scsb.org

Preston Brockman , School Nutrition contact
prestonbrockman@scsb.org

Tazewell County

Physical Activity Initiatives

Health Department program targets 4 & 5 grade students to promote importance of staying physically active outside of school. Goal is to increase physical activity 15 minutes a day, 6 days a week. Participants receive small incentives to participate and information is shared with families.

Contact: Toby Cook, Nurse Manager
Lenowisco Health District
toby.cook@vdh.virginia.gov

Report from the Joint Committee of the Board of Education and the Board of Health

APPENDIX C: School-Based Activities to Address Childhood Obesity for School Year 2003-04

Virginia Beach

Physical Activity Initiatives

Pedometers.

New Castle Elementary. Using pedometers for 4th & 5th grade students.

Contact: Lil Shouldis

Elementary schools. Physical Activity Challenge for 3-5th graders during gym class.

Contact: Angie Munari

angie.munari@vdh.virginia.gov

Rock Walls. All middle schools (15) now have rock walls for students to use during PE.

Contact: Steve Knott

Running Club. Luxford Elementary. After school running club for 4th and 5th grade students. The children are provided with a healthy snack and practice to improve their scores on the aerobic activity portion of the physical education tests.

Contact: Eileen Magarachi

eimagara@vbcps.k12.va.us

Walking Club. High School. After School Walking Club. Includes nutritional counseling, monthly health observances, physical activity lectures through May.

Contact: Angie Munari

angie.munari@vdh.virginia.gov

Nutrition Initiatives

Candy Restriction. Rosemont Elementary. Implemented a “No Candy Policy” in the classroom.

Contact: 2nd grade teacher

Deserts. Luxford Elementary. Students are not permitted to purchase more than one dessert/sweet snack from the school cafeteria each day. Letters were sent home to encourage the parents to create the same environment at home.

Contact: Joanne D’Agostino

Non-Food Rewards. System-wide (88 schools). Nurses/Teachers were encouraged to start using non-food rewards in the classroom.

Contact: Angie Munari

angie.munari@vdh.virginia.gov

Report from the Joint Committee of the Board of Education and the Board of Health

APPENDIX C: School-Based Activities to Address Childhood Obesity for School Year 2003-04

Combined Physical Activity & Nutrition Initiatives

Fitness Initiative. School-wide initiative at Luxford Elementary School to improve overall Physical Education Aerobic Testing scores. Program includes use of water bottles to promote hydration; nutrition assembly to emphasize healthy eating at home and school; limiting students to one desert or snack during lunch; Munch & Learn to promote healthy snacks at school; tracking miles walked during P.E. class; after school Running Club for 4th & 5th grade students; Spring Fling Run/Walk; Field Day running/walking event for each grade.

Contact: Eileen Magaraci
eimagara@vbcps.k12.va.us

Community-Based & Other Initiatives

After School Program: All elementary schools. Established a 4-week nutrition and physical education 'Healthy Kid Challenge' for 1st grade students. All activities were done outside of the school. Children were rewarded with incentives.

Contact: Angie Munari
angie.munari@vdh.virginia.gov

Reading. Targets 3-6 year olds. 'Reading for Heart' reading program for children 3-6. Program held at local libraries. Story is read with underlying physical activity or nutritional message and discussed with children and parents.

Contact: Angie Munari
angie.munari@vdh.virginia.gov

Weight Management: Targets 9-15 year olds. Established 8-week 'Way to Go Kids' weight management class for children ages 9-15. Program held at health department. Partnered with Rec Center and area physicians. Parents are invited to attend.

Contact: Angie Munari
angie.munari@vdh.virginia.gov

Report from the Joint Committee of the Board of Education and the Board Health

APPENDIX D: Sample Fitness Assessment

STUDENT INDIVIDUAL FITNESS ASSESSMENT

Name	ID#	Date of Birth	Age	Grade	Period	Teacher
JANE DOE	521	2/28/1989	M 14	9	7	XXXX
BMI Measurement =			Percentile Rating =			

	Mile Run	Pacer	Curl Ups	Curl Ups (cadence)	Partial Curl Ups	Sit & Reach	V Sit & Reach	Back Saver	Pull-ups	Pushups	Flexed Arm Hang	Shuttle
Scores	8.15	N/A	46	N/A	N/A	23	N/A	N/A	6	N/A	N/A	
Wellness standards	Passed	N/A	Passed	N/A	N/A	Below	N/A	N/A	Passed	N/A	N/A	
	9.3	41	41	24	40	25	1	8	2	14	15	
National standards	Below		Passed		N/A	Below	N/A		Passed	N/A	N/A	Passed
	7.44		45		40	28	1		5	24	20	9.9
Presidential standards	Below		Below		N/A	Below	N/A		Below	N/A		Passed
	6.26		56		62	36	4.5		10	40		9.1

Report from the Joint Committee of the Board of Education and the Board Health

APPENDIX D: Sample Fitness Assessment

DIVISION LEVEL: FITNESS ASSESSMENT- showing aggregate data for High School grades

Division: Prince William County Public Schools School: Assessment: Fall Assessment Ethnicity: All																				
	Aerobic				Abdominal				Flexibility				Upper Body Strength				BMI			
	Boys		Girls		Boys		Girls		Boys		Girls		Boys		Girls		Boys		Girls	
Age	Tested	Passed	Tested	Passed	Tested	Passed	Tested	Passed	Tested	Passed	Tested	Passed	Tested	Passed	Tested	Passed	BMI	%tile	BMI	%tile
6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A				
	Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%					
7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A				
	Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%					
8	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A				
	Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%					
9	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A				
	Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%					
10	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A				
	Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%					
11	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A				
	Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%					
12	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A				
	Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%		Passed: 0%					
13	9	5	8	2	9	6	8	5	9		8		9	4	8	5				
	Passed: 55.56%		Passed: 25.00%		Passed: 66.67%		Passed: 62.50%		Passed: 0.00%		Passed: 0.00%		Passed: 44.44%		Passed: 62.50%					
14	157	37	142	12	157	45	142	29	157	2	142	14	157	49	142	15			26	92.5
	Passed: 23.57%		Passed: 8.45%		Passed: 28.66%		Passed: 20.42%		Passed: 1.27%		Passed: 9.86%		Passed: 31.21%		Passed: 10.56%					
15	198	5	195	4	198	7	195	5	198	3	195	4	198	8	195	6	22	77.9	21	63.2
	Passed: 2.53%		Passed: 2.05%		Passed: 3.54%		Passed: 2.56%		Passed: 1.52%		Passed: 2.05%		Passed: 4.04%		Passed: 3.08%					
16	116		73	1	116	2	73	2	116	1	73	1	116	3	73	2				
	Passed: 0.00%		Passed: 1.37%		Passed: 1.72%		Passed: 2.74%		Passed: 0.86%		Passed: 1.37%		Passed: 2.59%		Passed: 2.74%					
17	16	1	11		16	1	11		16		11		16	1	11				21	48.8
	Passed: 6.25%		Passed: 0.00%		Passed: 6.25%		Passed: 0.00%		Passed: 0.00%		Passed: 0.00%		Passed: 6.25%		Passed: 0.00%					

Report from the Joint Committee of the Board of Education and the Board of Health
APPENDIX E
Virginia Action For Healthy Kids --Recommendations for School Nutrition Standards

Lisa Collis

The First Lady of Virginia

To: Superintendents of Virginia Public Schools

From: Lisa Collis

Subject: Nutrition Standards for Schools

As a mother and the Honorary Chair of Virginia Action for Healthy Kids, I believe that schools play a role in shaping a better, healthier future for the children of this Commonwealth.

I strongly encourage you to adopt the enclosed nutrition standards and guidelines developed by the Virginia Action for Healthy Kids (VAFHK) coalition.

VAFHK is part of a nationwide initiative dedicated to improving the health and educational performance of children through better nutrition and physical activity in schools. I whole-heartedly support their goals. Well-nourished students are better students, research has shown that students who engage in regular physical education are stronger – both physically and mentally. One recent study by the California State Department of Public Instruction provided “compelling evidence that the physical well-being of students has a direct impact on their ability to achieve academically.”

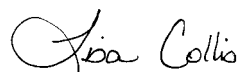
It is no secret that youth are facing serious health challenges today. Currently, an estimated 15 percent of children and adolescents are considered overweight, a three-fold increase from 30 years ago. The prevalence of Type 2 diabetes is on the rise, fewer children are meeting established dietary guidelines and nearly half of Americas aged 12-21 years are not vigorously active on a regular basis.

We know that schools cannot meet all of the nutrition and activity related needs of students on their own. But because children spend so much of their time in school or at school related activities, in many cases eating two meals a day on campus, schools can play an important part in the solution.

As Superintendent, your role in this effort is crucial. I encourage you to adopt the nutrition recommendations and bring your school division one step closer to providing an environment in which students can excel and develop healthy behaviors – for life.

I look forward to working with you, the teachers and staff in your school district to map out a path to a healthier future for all of Virginia’s children.

Sincerely,



Lisa Collis

Enclosure

The Executive mansion Richmond Virginia 23219 8-4-371-2642

Report from the Joint Committee of the Board of Education and the Board of Health
APPENDIX E
Virginia Action For Healthy Kids --Recommendations for School Nutrition Standards

Background Information

Childhood overweight and obesity rates have nearly tripled in the past thirty years and continue to rise. Poor eating habits and increased sedentary activities have contributed to this trend. There are numerous emotional and health consequences of overweight. Since the greatest portion of a child's day is spent in the school environment, schools are in a strong position to impact children's nutritional and physical activity habits and reduce the proliferation of childhood obesity. Nutrition and physical activity are essential for students to achieve their full academic and physical potential. The goal of these standards is to provide a framework for schools to make positive changes that would increase the availability of nutritious foods.

While the Federal government has established nutrition standards for school breakfast and lunch meals served under the national School Lunch Program (NSLP) and School Breakfast Program (SBP), the greatest challenge to promoting healthy food choices in schools is that other foods and beverages are sold in competition with school meals. Competitive foods include foods from vending machines, school stores, snack bars, fundraisers, and others. Currently there are no statewide standards in place for competitive foods in Virginia.

In general, competitive foods are high in fat, added sugar, and calories, and low in important nutrients. (Examples include candy bars, chips, and sodas.) Over the past few decades, there has been an increase in the availability of these foods in the school setting. When children replace school meals with these less nutritious foods, they are at risk for inadequate nutrient intake and excess calorie intake. When these foods are purchased in addition to school meals, there is the risk of over-consumption that may contribute to overweight and obesity.

Schools play a crucial role in promoting and supporting children as they develop healthy eating habits. Virginia Action for Healthy Kids (VAFHK) recommends that all schools adopt nutrition integrity guidelines to help facilitate schools' ability provide students with nutritious options, based on the following precepts:

- A healthy, well-nourished student is ready to learn and will stay in school.
- Children should be given plentiful opportunities to choose nutritious foods.
- Schools should provide quality nutrition education in addition to healthful foods, so students not only have access to healthy options, but also gain the knowledge, skills, and motivation to make nutritious food choices.
- High calorie, low nutrient items should be limited by access and/or portion size, since they contribute to excessive calories and possibly overweight. A variety of nutritious, appealing, and culturally appropriate foods and beverages should be available to all students.
- Schools should be encouraged to participate in the National School Lunch and Breakfast programs and actively promote student participation, since these programs are mandated to provide well-balanced nutritious meals for all students, based on the *Dietary Guidelines for Americans*.

Report from the Joint Committee of the Board of Education and the Board of Health
APPENDIX E
Virginia Action For Healthy Kids --Recommendations for School Nutrition Standards

These nutrition recommendations are provided as a guide or template for schools to use when developing local nutrition policies. They are based, in part, upon the *Dietary Guidelines for Americans 2000* and the *U.S. Surgeon General's Call to Action*, and were developed by the Virginia Action for Healthy Kids, a coalition of educators, health professionals, and community members aimed at promoting health and academic achievement among Virginian youth. For more information, visit: www.ext.vt.edu/actionforhealthykids or contact Dr. Serrano at serrano@vt.edu

Definitions: The following general definitions apply to all recommendations

School Day - from 6:00 am until the end of the last instructional period

Campus - school building and grounds

Competitive Foods - Foods and beverages offered in competition with the school meal programs

	Recommendation	Rationale
General Recommendations	1) Require all foods and beverages offered anywhere on the school campus to incorporate the recommendations of VAFHK 2) Prohibit competitive foods of minimal nutritional value on campus during the school day 3) Encourage fund-raising organizations to limit sale of high fat or high calorie foods of minimal nutritional value 4) Establish a school breakfast program if the school does not have one 5) Establish a Nutrition Advisory Council in schools consisting of administrators, teachers, school nutrition personnel, students, parents and community partners	<ul style="list-style-type: none"> • The school environment should support and teach healthy eating and learning in order to provide students the skills to build and maintain a healthy lifestyle. • Breakfast provides students with needed nutrients. Participation in school breakfast has been demonstrated to improve test scores, composite math and reading percentile scores, class participation, and reduce absences. • Nutrition Advisory Councils provide opportunities for parental and community involvement in nutrition-related activities at schools

Report from the Joint Committee of the Board of Education and the Board of Health
APPENDIX E
Virginia Action For Healthy Kids --Recommendations for School Nutrition Standards

Beverages	Recommendation	Rationale	Suggestions
	Beverages that contain <u>at least</u> 25% fruit juice with no added sweeteners	Fruit contains important nutrients and is linked to disease prevention	Fruit juices with 25% minimum fruit juice. Optimum would be 100% real fruit juices
	Water	Water is an essential nutrient and a healthy beverage choice	Bottled water without added sugar, artificial sweeteners or caffeine
	Low-fat (1%), non-fat milk	Milk is a good source of calcium, which is important for long-term bone health. Offering low or non-fat milk promotes calcium consumption without contributing unnecessary calories and fat	Low-fat (1%) and non-fat milk and flavored milks
	Eliminate sale of:		
	Soft drinks, sport drinks, punch, and other juice drinks containing less than 25% real fruit juice	These drinks provide little nutritional value, replace more healthful alternatives, and promote tooth decay	
	Beverages that contain caffeine (except chocolate milk*) *Chocolate milk is a good source of calcium	Caffeine is considered an addictive substance	
	Carbonated beverages (including flavored and unflavored sparkling waters)	Research indicates carbonated beverage consumption directly affects and replaces more healthful alternatives in the diet. Carbonated beverages cannot be sold as part of USDA guidelines	

Report from the Joint Committee of the Board of Education and the Board of Health
APPENDIX E
Virginia Action For Healthy Kids --Recommendations for School Nutrition Standards

Snacks, Sweets, Side Dishes	Recommendation	Rationale	Suggestions
	<u>Portion Size</u> Less than 300 kcal (calories) per item	Larger serving sizes may lead to over-consumption	See chart on page 5.
	<u>Fat</u> No more than 30% of total calories from fat, except nuts and seeds.** ** Although high in fat and calories, nuts and seeds are high in monounsaturated fat, which can help lower "bad" LDL cholesterol and maintain "good" HDL cholesterol. Note: Some children experience allergic reactions to nuts, particularly peanuts.	High fat foods contribute to the intake of unnecessary calories without added nutrients	Pretzels, baked potato and corn chips, some popcorns, some granola bars, yogurt (preferably low-fat or non-fat), low-fat string cheese, nuts and seeds**
	<u>Saturated Fat</u> No more than 10% of calories from saturated fat	Foods that are high in saturated fat increase the risk of coronary heart disease by raising blood cholesterol	See suggestions above under "fat"
	<u>Sodium</u> Use in moderation	The <i>Dietary Guidelines for Americans 2000</i> urges moderation in sodium intake	Low-sodium snacks
	<u>Sugar</u> No more than 35% by weight+ +Except fresh, dried or canned fruits and vegetables, without additional sweeteners	Foods and beverages that are high in sugar are often high in calories and low in nutrients.+ They also promote dental caries	Some granola bars, trail mix, animal crackers, graham crackers, frozen fruit bars, frozen yogurts, light ice creams, light puddings and gelatins

Report from the Joint Committee of the Board of Education and the Board of Health
APPENDIX E
Virginia Action For Healthy Kids --Recommendations for School Nutrition Standards

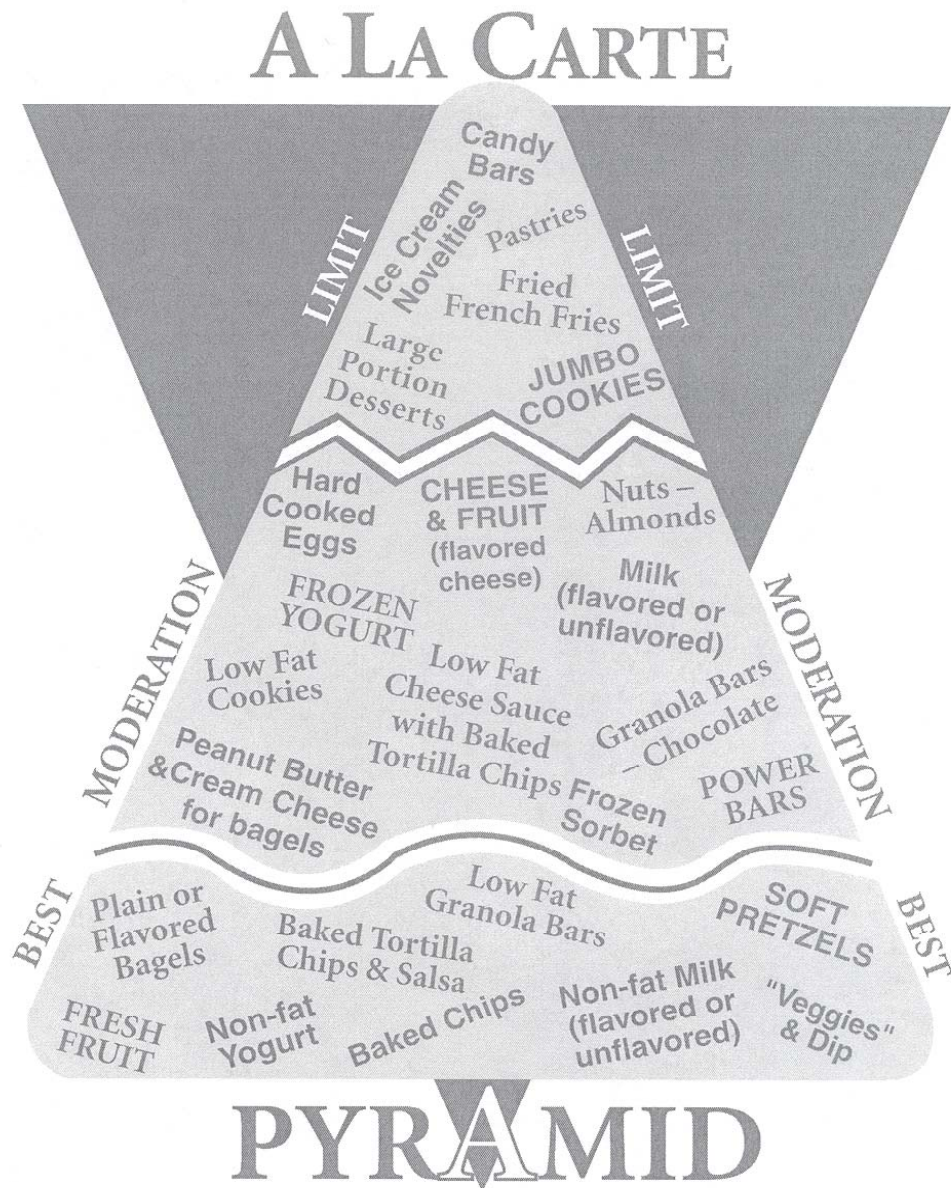
Whole Grains, Fruits and Vegetables	Recommendation	Rationale	Suggestions
	<u>Whole Grains</u> Encourage the use of whole grain breads and cereals	A diet with adequate fiber helps prevent colorectal cancers, aids in good digestion, and may reduce cholesterol	Whole grain breads and whole-grain snacks
	<u>Fruits and Vegetables</u> Require the availability of high-quality fruits and vegetables on the school campus	Fruits and vegetables are rich in vitamins, minerals, and fiber, and low in calories. Adequate fruit and vegetable intake among youth is a problem, with access being one of the top barriers	All fruits and vegetables: fresh, cooked, dried and canned without additional sweeteners

Suggested Portion Sizes¹

Snacks and Sweets Chips, crackers, popcorn, cereal Trail mix, nuts, seeds, dried fruit, jerky	1.25 oz
Cookies / cereal bars	2 oz
Bakery items (e.g., pastries, muffins)	3 oz
Frozen desserts, ice cream	3 oz
Yogurt	8 oz
Beverages (no limit on water or milk)	12 oz

¹Calories should be 300 kcal (calories) or less per item

Report from the Joint Committee of the Board of Education and the Board of Health
APPENDIX F
GUIDELINES FOR SNACKS



Guidelines for Snackers

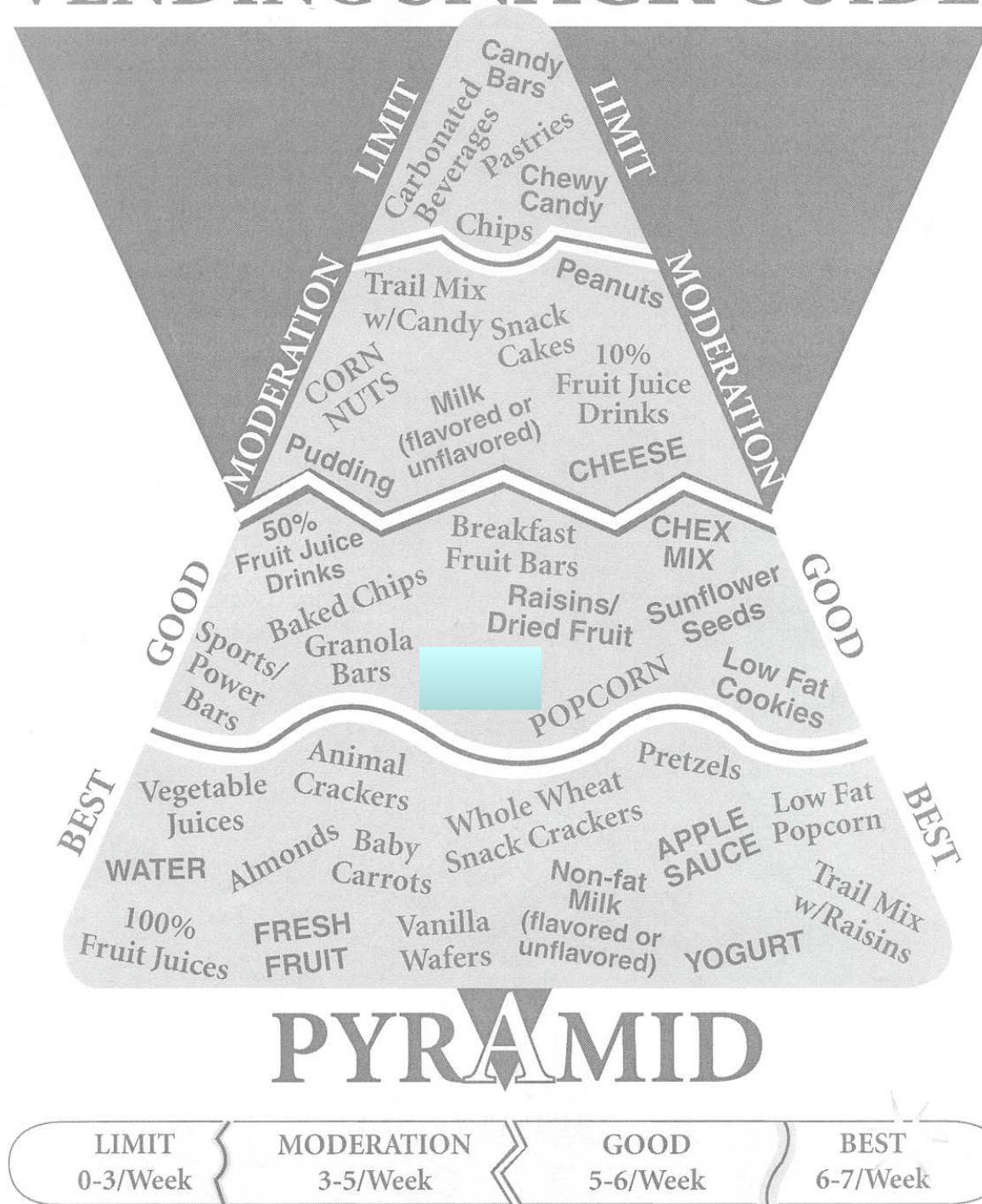
Most Americans eat 3 snacks per day, so...

Snack in small portions

Watch calories and serving size, not just fat grams – Low fat does not always mean low calorie

Snack Guide information provided by The Minnesota Department of Children, Families & Learning • January 2003

VENDING SNACK GUIDE



Team Nutrition Handouts



Grab and Go Snacks.....

Grab and Go Snacks

- Pack snacks in individual portion sizes in small snack size bags- it's economical. Pack items that you can pull out with your fingers and are not fussy to eat.
- Pretzels! Try honey-mustard!
- Baby carrots
- Raisins
- Grapes
- Mozzarella cheese cubes
- Graham crackers, vanilla wafers, gingersnap cookies, animal crackers
- Popped popcorn topped with cheese sprinkles
- Crackers and cheese or peanut butter
- Milk chugs or cartons
- 100% fruit juice
- Sandwiches/turkey and cheese (pack lettuce/tomato separately to avoid a soggy sandwich)
- Snack packs of gelatin, pudding, applesauce, and canned fruit
- Low-fat yogurt cartons
- Try these snack food combinations:
 - cottage cheese + fruit
 - grapes + mozzarella cheese sticks
 - bagel/pizza sauce + melted mozzarella cheese
 - 1/2 pita break + sliced turkey or other meat
 - low-sugar cereal + skim milk
 - crackers + peanut butter or cheese